

DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
Marine Protected Areas FEDERAL Advisory Committee
MEETING

TUESDAY
APRIL 24, 2007

The Advisory Committee met in Conference Room 555, Stafford Place II, National Science Foundation, 4121 Wilson Boulevard, Arlington, Virginia, at 8:30 a.m., Mark Hixon, presiding.

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PRESENT

MARK HIXON	Chair
BOB ZALES, II	Vice Chair
TUNDI AGARDY	Member
CHARLES BEEKER	Member
BOB BENDICK	Member
DAVE BENTON	Member
DAN BROMLEY	Member
ANTHONY CHATWIN	Member
MICHAEL CRUICKSHANK	Member
ELLEN GOETHEL	Member
JOHN HALSEY	Member
DENNIS HEINEMANN	Member
STEVE MURRAY	Member
TERRY O'HALLORAN	Member
R. MAX PETERSON	Member
WALTER PEREYA	Member
GIL RADONSKI	Member
JIM RAY	Member

ALSO PRESENT

RANDAL BOWMAN	Department of the Interior
ROBIN BRAKE	Department of the Navy
THE HONORABLE SAM FARR	U.S. House of Representatives
MAGGIE HAYES	Department of State
JONATHAN KELSEYNOAA	
BOB MELZIAN	Environmental Protection Agency
JEFF PEARSON	U.S. Coast Guard
JOSEPH URAVITCH	NOAA
LAUREN WENZEL	Designated Federal Official
CHARLES WAHLE	NOAA

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P-R-O-C-E-E-D-I-N-G-S

8:38 a.m.

CHAIRMAN HIXON: Good morning, everybody. Okay.

So what we're going to do today is a whole variety of things. You've been getting a huge flurry of e-mail and messages. It may look overwhelmingly bizarrely complicated but we are actually going to do some very focused straight forward work at this meeting. What I want to first do is approve the minutes of our previous two meetings.

Those were e-mailed to everyone. Presumably everyone has had a chance to review those. Roll call? I don't think we need a roll call because I can see we have a quorum just visually. Do you want to do a roll call? Okay. Let's do a roll call. Thank you, Bob.

Ready?

MS. WENZEL: Sure.

CHAIRMAN HIXON: You want to do it?

MS. WENZEL: Sure.

Okay. Mark Hixon.

CHAIRMAN HIXON: Present.

MS. WENZEL: Bob Zales.

VICE CHAIR ZALES: Here.

MS. WENZEL: Tundi Agardy.

DR. AGARDY: Here.

MS. WENZEL: Charles Becker.

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1 MR. BECKER: Yep.

2 MS. WENZEL: Bob Bendick.

3 MR. BENDICK: Here.

4 MS. WENZEL: Dave Benton.

5 MR. BENTON: Here.

6 MS. WENZEL: Dan Bromley. Tony Chatwin.

7 DR. CHATWIN: Here.

8 MS. WENZEL: Mike Cruickshank.

9 DR. CRUICKSHANK: Here.

10 MS. WENZEL: Eric Gilman. Ellen Goethel.

11 MS. GOETHEL: Here.

12 MS. WENZEL: John Halsey.

13 DR. HALSEY: Here.

14 MS. WENZEL: Dennis Heinemann.

15 DR. HEINEMANN: Here.

16 MS. WENZEL: George Lapointe. Bonnie McCay.

17 Steve Murray.

18 DR. MURRAY: Here.

19 MS. WENZEL: John Ogden. Terry O'Halloran.

20 MR. O'HALLORAN: Here.

21 MS. WENZEL: Lelei Peau. Wally Pereya.

22 MR. PEREYA: Here.

23 MS. WENZEL: Max Peterson.

24 MR. PETERSON: Here.

25

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1 MS. WENZEL: Gil Radonski.

2 MR. RADONSKI: Here.

3 MS. WENZEL: Jim Ray.

4 DR. RAY: Here.

5 MS. WENZEL: Dan Suman. Kay Williams. Jim
6 Woods.

7 CHAIRMAN HIXON: Thank you, Lauren. Okay.
8 First order of business is approval of the minutes from
9 our last two meetings. Remember we had a teleconference
10 meeting in February as well as our meeting last October
11 in New Port, Oregon. Are there any corrections to the
12 minutes? Did everyone have a chance to review the minutes?
13 Are you reviewing the minutes now?

14 DR. RAY: I will move to be approved. You want
15 a motion?

16 MR. BENTON: I'll move approval.

17 DR. RAY: I'll second it.

18 CHAIRMAN HIXON: Okay. We've had two moves to
19 approve and two seconds. Discussion? Okay So with no
20 objections we will approve the minutes.

21 Okay. Thank you. I've been reminded that whenever we
22 speak we need to mention our name before speaking to make
23 sure that the recorder is able to record the minutes properly.

24 Dave.

25 MR. BENTON: Mr. Chairman, Dave Benton. In the

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1 minutes just a point of clarification. We approved both
2 sets. Right?

3 CHAIRMAN HIXON: That's true.

4 MR. BENTON: Okay. The set from the
5 teleconference, I trust that your letter and the motions
6 that are referred to in the minutes are part of that record.
7 Is that correct?

8 CHAIRMAN HIXON: Yes, it is.

9 MR. BENTON: Fair enough.

10 CHAIRMAN HIXON: Thanks, Dave.

11 Okay. A brief review of the agenda. We'll go
12 into the details of this later but as you can see this
13 morning we have several speakers who are going to address
14 some important issues regarding our business. The large
15 part of this meeting is going to be work in ad hoc
16 subcommittees. I will go over that in great detail after
17 the morning break. Otherwise we have, as usual, two public
18 comment periods.

19 We will be recessing early tomorrow so that people
20 have the opportunity to visit whoever they think is important
21 to visit here in Washington and prepare for the reception
22 which will be up on Capitol Hill Wednesday evening. We
23 intend to finish our ad hoc subcommittee work completely
24 during this meeting and I'll explain why that is important
25 to do so and then revert to our original standing

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1 subcommittees in preparation for our October 2007 meeting.
2 Details will be forthcoming on that.

3 Okay. Just a little bit before we get started.

4 I think I can speak for Bob Zales and myself simultaneously.

5 We very much appreciate the unanimous support that we
6 received to step into these roles at our meeting last October
7 in Newport. We are going to strive to do at least what
8 Max told us to do which was to be firm, patient, and focused.

9
10 On top of that, I have the full intention of
11 being neutral and fair in my capacity as chair. Otherwise,
12 I would like to continue the style of proceedings that
13 began under the able leadership of Dan Bromley. That is,
14 we will seek to reach consensus in our agreements. We
15 will be informal.

16 I truly would prefer to be referred to as Mark
17 as opposed to Mr. Chairman. First name basis is good with
18 me. For speaking instead of standing and yelling, "Mr.
19 Chairman," it will just be a matter of raising your hand
20 in which case we'll have a queue up here and you'll all
21 have your chance to speak.

22 As much as possible we will reach agreement
23 by consensus. When and if things become sticky, we will
24 revert to Robert's Rule of Order. That leads us to the
25 issue of a parliamentarian for this group. Dolly Gorse

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1 ably served in that capacity while she was a member. She
2 is no longer with us so it raises the issue of having a
3 parliamentarian.

4 According to Robert's Rules this is a purely
5 advisory role. It is a person basically who brings the
6 book to every meeting and if things become sticky knows
7 where to look in the book. The chair then reviews that
8 part of the book and calls a decision in the case of anything
9 sticky.

10 I have been made aware that George Lapointe
11 is willing to serve in this role if no one else steps up
12 so we do have one volunteer so far. Is there anyone else
13 who very much wants to serve in the capacity of
14 parliamentarian for this group?

15 MR. O'HALLORAN: Terry O'Halloram. I vote for
16 George.

17 CHAIRMAN HIXON: Is there anyone else who wants
18 to serve in this capacity as parliamentarian? George is
19 not going to be here this meeting so we will first deal
20 with George being sort of the preeminent one and we'll
21 have to have one for this meeting as well.

22 MR. PETERSON: I'll do it.

23 CHAIRMAN HIXON: For this meeting?

24 MR. PETERSON: Um-hum.

25 CHAIRMAN HIXON: Okay. So what I'm hearing,

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1 if there are no objections, Max will be parliamentary
2 for this meeting, George Lapointe would subsequently be
3 parliamentary. Are there any objections? Okay. We
4 have a parliamentary.

5 Thank you, Max, for stepping up this meeting.

6 Do you have your book?

7 MR. PETERSON: I'll have to borrow yours. I
8 didn't know I was going to do this.

9 CHAIRMAN HIXON: You have to bring the thick
10 one next time.

11 Our first speaker today at 9:00 is going to
12 be Congressman Sam Farr who is not yet here so we have
13 10 minutes. We're already ahead of schedule. I like that,
14 staying on track.

15 Let me start introducing our work so you can
16 start turning your own individual gears about all this.

17 Essentially when we issued official comment on the draft
18 framework for a National System of Marine Protected Areas
19 the MPA Center actually listened to us, which they have
20 in the past, which is a good thing, and they now are preparing
21 to revised that draft framework to create the final
22 framework.

23 They have some very explicit specific questions
24 they would like us to answer for them at this meeting.

25 The final framework will be basically drafted and completed

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1 before our next official meeting so this is why we have
2 decided working with the MPA Center the Executive Committee
3 and I have worked out a set of ad hoc subcommittees.

4 Now, things have continued to change through
5 time with those ad hoc subcommittees because people are
6 not able to show up at the last minute. As it now stands
7 each of us is assigned to an ad hoc subcommittee. These
8 are given letters rather than numbers to avoid confusion
9 with our regular standing subcommittees. We are going
10 to have to merge the meetings of some of these ad hoc
11 subcommittees.

12 The news right now is that Ad Hoc Subcommittee
13 A and Ad Hoc Subcommittee C2 will be meeting together as
14 will Ad Hoc Subcommittee C1 and C3. C1 and C3 are meeting
15 together, A and C2 will be meeting together. I'm trying
16 to avoid the great details until a little later right before
17 we do our work.

18 The information regarding these subcommittees,
19 the names, what subcommittee you are assigned to, and all
20 the associated documents should be in your packet. Ex
21 officio members are welcome to join any subcommittee they
22 choose.

23 In the packet are both the specific charge for
24 each ad hoc subcommittee, a list of useful information
25 and, very importantly, a strawman table for the product

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1 for each ad hoc subcommittee. These strawman tables were
2 developed by the MPA Center in the format that they would
3 find useful for our input. We do not have to use

4 those strawmen. We don't have to use that particular format.

5 These are simply suggestions on where to get started.
6 The idea here is that we are going to produce very focused
7 lists of information in as short of time as we can while
8 still being efficient and using our collective brain power.

9 After each subcommittee completes its work, by Thursday
10 we will vote on passing this information forward.

11 As in our previous proceedings all the gut work,
12 the bait, the grinding away, is going to be at these ad
13 hoc subcommittee meetings. This is where I want people
14 to work things out, reach consensus, and present a unified
15 voice to the plenary session upon completion of their work.

16 If for some reason there is absolutely no way to reach
17 consensus, then I guess we'll have to have whatever, a
18 majority/minority report. But we do have to complete this
19 work this meeting. This work will not carry over beyond
20 this meeting.

21 My desire would be for our ad hoc subcommittee
22 work to be completed earlier than later so that we can
23 concert to our standing subcommittee work which also must
24 be completed by the end of our October meeting this fall
25 because in October 15 members of this group will be rotating

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1 off so it's going to be a whole new FAC thereafter. We've
2 got a lot of focus work here in front of us.

3 Brian. I'm sorry, Tony.

4 DR. CHATWIN: Thank you, Mark. Just a question
5 for clarification. When you say the ad hoc subcommittees
6 have now been -- will meet together, does that mean they
7 are not merged and they will address both the issues as
8 one subcommittee?

9 CHAIRMAN HIXON: Thanks, Tony. I was going to
10 -- I was trying to put off going into the detail right
11 before we break up but, yes, absolutely. What's going
12 to happen is we are merging these subcommittees so that
13 each of the merged subcommittees is basically doing two
14 sets of business, each of the original subcommittee's work.

15 Each ad hoc subcommittee will be chaired by a member of
16 the ex com who are originally involved in setting up these
17 things so there will be a trading of the ex com, ex com
18 chairmanships, if you will, according to the business at
19 hand.

20 When Subcommittee A and C2 get together, they
21 can choose which work to do first. One member of the ex
22 com will chair the C2 business. The other member will
23 chair the A business. Your original subcommittee are still
24 intact. You are just going to have more brainpower involved
25 with your subcommittee. Thanks.

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1 DR. CHATWIN: Thank you.

2 CHAIRMAN HIXON: Brian Melzian had an
3 announcement he wanted to make and this would be an
4 appropriate time, Brian. Thanks.

5 MR. MELZIAN: Thank you, Mark. As some of you
6 may know, remember I've been involved representing EPA
7 on the Interagency Working Group on Ocean Observations
8 as we strive to work in a collaborative manner with up
9 to 16 federal agencies as of today and state agencies and
10 NGOs and others in development of integrated ocean observing
11 system as recommended strongly in the President's Ocean
12 Action Plan.

13 Another major effort that is underway, and I
14 wanted to give you an update about, is the development
15 of the National Water Quality Monitoring Network which
16 I believe is going to be germane to this national system
17 in Marine Protected Areas which at last count could be
18 1,500 to 2,000 areas perhaps in its final form.

19 Week before last I had an opportunity to help
20 with the U.S. Geological Survey, NOAA, and Department of
21 Interior to put on a major exhibit at an EPA symposium
22 in Washington, D.C. I'll be distributing over near where
23 the coffee is for your use, if you care to obtain it, is
24 a poster version or small version of the exhibits that
25 was on display in Washington, D.C. last week. It's a GIS

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1 map. It lists the various structure or the design including
2 estuaries near shore, off shore, EEZ, great lakes, coastal
3 beaches, wetlands, rivers, at-risk and ground water.

4 This was another major recommendation made in
5 the U.S. Ocean Action Plan and is one of the few highlights
6 in that action plan that actually requested the agencies
7 to get together and submit a document to the President's
8 Council on Environmental Quality which was done in April
9 of 2006.

10 In addition to this summary of the status of
11 this network, I'll have on display the executive summary
12 of the report, a press release that came out last week
13 from U.S. Geological Survey about the pilot studies now
14 underway, which is the Delaware River Basin, Great Lakes,
15 John, and San Francisco Bay -- these are pilots that are
16 underway -- a two-pager describing their interaction with
17 the IOOS in development of this network, and the abstract
18 from the exhibit last week.

19 What I'm trying to do, as you can imagine, with
20 these various committees is try to inform people about
21 what actually is happening, or is not happening, but also
22 how I think our deliberations, especially the monitoring
23 component of this national framework system could, and
24 perhaps should, interplay with not only this network but
25 the IOOS. I'll have these right over near the coffee table

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1 for you to pick up if you care to do so.

2 Questions? Comments? Thank you.

3 CHAIRMAN HIXON: Thank you, Brian. One thing
4 I did want to do is welcome a new ex officio members of
5 this committee. Robin Drake is representing the Navy.

6 Robin, you want to introduce yourself at all?

7 MS. DRAKE: How much do you want.

8 CHAIRMAN HIXON: Whatever you want to give.
9 We seem to have time.

10 MS. DRAKE: Okay. Actually I am a reservist
11 recalled to active duty to do --

12 CHAIRMAN HIXON: Could you use the mic, please?

13 MS. DRAKE: Okay. Can you hear me now? I am
14 actually a reservist who has been recalled to active duty
15 to monitor science and technology for the Navy Secretariat
16 and this is one of my assignments to start tuning in.
17 I work for Mr. Don Schregardus who is the actual appointee
18 to this. That should do it. Right? I'm a biologist by
19 training.

20 CHAIRMAN HIXON: Oh, that's good to know. Thank
21 you.

22 Representative Farr will be here shortly. Are
23 there any questions or comments at this point to fill the
24 time? Let's talk about dinner this evening, shall we?

25 MS. WENZEL: Okay. On the advice of some

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1 semi-locals, you know, Maryland and Virginia are worlds
2 apart so I had to get advice about local places. We're
3 going to go to the Rock Bottom Brewery which is apparently
4 a good place to get a beer after a hard say at 6:15. It's
5 in the Ballston -- I hate to say this. It's at the Ballston
6 Mall across the street. I'm going to send around a sign-up
7 sheet so I can just get a headcount. I hope all members
8 and spouses and friends will join us. Thanks.

9 MR. PETERSON: Do we get food?

10 MS. WENZEL: Yes. You don't just have to drink.

11 CHAIRMAN HIXON: You can have food if you want,
12 Max.

13 Tony.

14 DR. CHATWIN: Thank you, Mark. Just a question.
15 Are we going to be producing these products in subcommittees
16 at this meeting and then we'll revert back to the standing
17 subcommittees and produce additional products. I just
18 wondered if you could share with us your vision for how
19 those products are going to be submitted. Are we going
20 to wait to compile them all into one final product or at
21 the end of this are you going to request the committee
22 give you authority to go and send it onto NOAA and Interior?

23 CHAIRMAN HIXON: Okay. The products from this
24 meeting we must submit immediately. They've got to go
25 because that's going in to producing the final framework.

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1 There's going to be two separate sets of products.

2 Welcome, Dan.

3 Welcome, Congressman Farr. It's a great
4 pleasure to welcome the Honorable Sam Farr to our meeting
5 today. Congressman Farr serves as the Congressman from
6 California's Central Coast which includes Monterrey Bay
7 and all the wonderful area around there. He's been in
8 Congress for 14 years, serves on three subcommittees of
9 the House Appropriation Committee.

10 Importantly, Congressman Farr has been a very
11 strong advocate for marine conservation throughout his
12 time in Congress. He was very supportive of the
13 establishment of the MPA Center and this federal Advisory
14 Committee and was instrumental in garnering funding for
15 the MPA Center Science Institute to be located in Monterrey
16 Bay which is a perfect location given the huge number of
17 facilities and marine scientists that word in that
18 particular region.

19 He's co-founder and co-chair of the House Ocean
20 Caucus which is a bipartisan caucus that educates Congress
21 regarding important ocean issues and introduces and passes
22 legislation for better understanding using and managing
23 our ocean resources.

24 Very importantly, he has introduced H.R. 21
25 also known as Ocean's 21 the first day of the 110th Congress.

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1 This is the Ocean Conservation Education and National
2 Strategy for the 21st Century Act which is based on
3 recommendations from the U.S. Commission on Ocean Policy
4 and Pew Oceans Commission. Congressman Farr is here today
5 to speak to us about that legislation and other issues.

6 Congressman.

7 CONGRESSMAN FARR: Thank you. I just want to
8 thank you for all your years -- all of you in this room
9 for your years of service. I started getting interested
10 in the oceans when I was in the California legislature.

11 We had an Association of State Legislators from the western
12 United States and we all got together and realized that
13 we had coastal waters from Oregon, Washington, and
14 California.

15 We were all thinking about what did the coast
16 mean to us from an economic and political standpoint.
17 What we learned was all these sort of conflicts of governance
18 that were going on between state governments, local
19 governments, even inter and intra-state governments. On
20 top of that was the federal system which didn't talk to
21 each other either. The issues between what the Coast Guard
22 and the Navy were doing were different than what National
23 Marine Fisheries and all the different acts in it.

24 It occurred to us then as state legislators
25 that we ought to form a compact of the west coast. We

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1 did a report called The Blue Revolution which was put out
2 in the late '80s, early '90s. I authored a bill in the
3 California legislature called the California Oceans
4 Resource Management Act, know as CORMA, which was a study
5 of what were the assets in California, what did the coastline
6 mean and what was on the coastline and what went on in
7 the water.

8 It was one of the thickest report because it
9 really put in inventory of what we had in not only through
10 the geography and geology and biology, but it also had
11 all the research institutions that are along the coast.

12 That was done under Governor Pete Wilson. It was
13 interesting right after that I got elected to Congress
14 and I said now that we know all these things let's do something
15 about it.

16 That was started in 1993 and this Thursday for
17 the first time since I've been in Congress for 14 years
18 we're going to have a hearing on Ocean's 21 which is the
19 result of the work done by the Pew Charitable Trust and
20 the Oceans Commission which was the bill that I worked
21 on with Senator Hollings that got signed and created a
22 federal commission to look at ocean policy. Taking the
23 recommendations of those two commissions we have formed
24 over the years and revised the bill that is now called
25 H.R. 21.

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1 I'm very excited to be here with you because
2 I accompanied President Clinton on May 26th in the year
3 2000 out to the Maryland shore where he enacted the executive
4 order which created the Marine Protected Areas. I think
5 there is a lot of misunderstanding at the time whether
6 these were going to be the first time we were going to
7 established Marine Protected Areas and get criteria or
8 whether we were trying to just pull what had been done
9 together.

10 As I found out, there were a lot of areas, so-called
11 Marine Protected Areas, that had been designated over time
12 but without any kind of national policy. The creation
13 of your group, the senator and the Advisory Committee has
14 been really essential to try to pull a national standard
15 together because what you found is how much conflict there
16 is in governance and how different definitions mean
17 different things to different people.

18 We have interestingly just gone through a state
19 and here is where I think we are going to run into some
20 problems. California under its own state initiative has
21 been creating Marine Protected Areas done by a commission
22 and will make recommendations to the California Fish and
23 Game Commission.

24 They have just implemented their second set
25 of recommendations for Northern California and you would

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1 think from the recreational fishermen and the commercial
2 fisherman that we have just put the entire coast off limits
3 to fishing. The yew and cry is just not proportional to
4 what was done.

5 My defense of it is just to say get out a map
6 to anybody. Just look at this map. How much of this total
7 ocean out there they can fish in, a near-shore ocean.
8 Now much has been ut into protected zones. They are not
9 all no fish no take. It's similar to what you want to
10 do.

11 I'm thinking that as we try to come up now with
12 a federal recommendation on top of what California has
13 done, we are going to have a hard time -- there is a real
14 need to do kind of an education as to how these differ
15 or how they are mutually beneficial to one another and
16 how the governance structure is going to work. I think
17 some states, and I only know California, is ahead of many
18 other places.

19 I tell everybody we have a new Congress, new
20 speaker, and a new direction. I think many of you, or
21 all of you, who are interested in the sciences that is
22 going in your direction. The difficulty is that the
23 Democrats have adopted a very smart but conservative
24 spending plan called PAGO which means if it cost anymore
25 you've got to figure out how to pay for it. Rob Peter

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1 to pay Paul or drive a revenue source.

2 The President isn't going to sign many bills
3 with any new revenue sources. Maybe some fee bills but
4 I don't see any tax bills being signed that are going to
5 increase taxes. That means we are going to have to be
6 working on a very tight base to begin with. Within that
7 base we are going to have to rob Peter to pay Paul.

8 One of my complaints in the NOAA budget is last
9 year I did the Rumpelstilskin speech on the floor of the
10 House where you just get really angry and bang your fist
11 and jump around like I remember as a kid reading that
12 Rumpelstilskin did. I just accuse NOAA of taking -- they
13 might as well just take the O out of NOAA because they
14 essentially have not done what they should be for the oceans.

15 The budget is not at all balanced. The atmosphere
16 gets a lot more attention than the ocean. Yet, we know
17 that the weather that NOAA is responsible for is generated
18 by ocean activity and ocean climates. We are going to
19 try to work next week, the subcommittee, just as Commerce
20 meets. They will hear -- tomorrow, excuse me, they meet.

21 We'll hear the members of Congress ask for specific earmarks
22 in that bill. I'm going in for a big push on NOAA's wet
23 side.

24 I think what you are going to see, and it would
25 be interesting to hear from you, what are going to be the

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1 cost implications of your recommendations. Is it just
2 a matter of getting existing entities to work better together
3 in collaboration or are we really requiring new work for
4 the Government? If so, how are we going to pay for it.

5 Nothing wrong with paying for it. If it's good
6 and has to be done, we can make that argument. I'm looking
7 forward to sort of the politics of how your recommendations
8 are going to be implemented. I stand ready to do that.

9
10 The politics on the hill are very interesting.

11 We created back, I guess, right after President Clinton
12 did -- we had the Year of the Oceans and Barbara Boxer
13 and I convinced him to do a White House conference on the
14 ocean. I was shocked when they decided to have it in my
15 district. Of course, both Barbara Boxer and myself were
16 up for reelection and I don't think that had anything to
17 do with it.

18 We thought it was a logical place but we had
19 never heard of a White House conference not being done
20 in Washington. I have since learned there are several
21 White House conferences that have been done at other places.

22 This was the first ever White House conference on the
23 ocean. We had a really good turn out.

24 I mean, at first all we were going to get is
25 perhaps the Under Secretary of the Navy and then the Secretary

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1 of the Navy and then the head of NOAA. James Baker was
2 going to come and that was about the top we could get for
3 this conference.

4 At the last minute it must have been a slow
5 weekend in Washington because President Clinton showed
6 up, Mrs. Clinton with him, Al Gore was there, and three
7 of the Department heads. Not only the head of the Department
8 of Commerce but other departments as well. It was
9 practically the entire White House in Monterrey learning
10 for a short 24 hours what was going on in oceans.

11 That was a great day for us because it shows
12 that there was interest in it. As I said, President Clinton
13 then in the year 2000 signed the order creating Marine
14 Protected Areas. We came back to Congress and decided
15 we ought not to allow the energy to drop and created an
16 Oceans Caucus. The idea behind the caucus is to keep it
17 totally bipartisan so for every Democratic member we try
18 to get a Republican member.

19 Not many hold that way because there's much
20 higher interest. I think more Democrats represent coastal
21 zones than Republicans. The caucus has become
22 predominately Democratic but the bill that we drafted,
23 which was the product of the Pew Charitable Trust and the
24 Oceans Commission was first introduced because I worked
25 a lot of it. In fact, Lisa who is here -- where is Lisa?

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1 A former NOAA Fellow way in the back corner.

2 You don't have to sit that far back, Lisa, anymore.

3 You're not working for me.

4 She worked on this early on until, in fact,
5 I think that day when the Act was signed she was the one
6 that drove me to the Marine One to fly out with the President.

7 We've had this NOAA Fellows in our office putting together
8 and holding this Oceans Caucus and we drafted this bill
9 on these recommendations. The first time I thought it
10 was not going to pass with a Democratic author, certainly
11 Mr. Pombo, Chair of the Resources Committee.

12 We got Jim Greenwood who is really a good active
13 Republican. He has since resigned from Congress to go
14 work for the pharmaceutical industry. Then Curt Weldon,
15 who is always a very big thinker and wanted to get this
16 bill passed, introduced it last year. It never got a hearing.

17 He was defeated. I took over the bill this year and have
18 gotten quite a few co-sponsors. As I said, it's going
19 to be heard this Thursday.

20 I would encourage you all to whatever spin you
21 can give on it that it is -- I don't think there has been
22 a legislation before Congress in the years that I've been
23 there that had more transparency, more work by these hearings
24 that the Commissions, both Pew and the Oceans Commission,
25 had all over the United States with input of every background.

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1
2 In fact, the President's commission had a lot
3 of oil and gas folks on there which I thought were not
4 going to come up very strong recommendations. In fact,
5 they have and they are backing them. Admiral Watkins was
6 the chair of that. So there has been a lot of work and
7 even the drafting of this bill has gone over many years.

8
9 It essentially does on the large scale what
10 a lot of things I think you are probably recommending in
11 your recommendations. It essentially pulls together all
12 the interjurisdictional players in the ocean and requires
13 that they all follow the policies that have been laid out
14 in this act.

15 Essentially you get kind of analysis of the
16 impact. Whatever ocean activity is going to go on it's
17 going to have to be measured up against what the impact
18 is in the ocean. I hate to say, or wouldn't say, it's
19 going to require an environment impact report but I think
20 things like that are certainly going to lead to a lot more
21 analysis as to the detrimental impacts of all activities
22 in the ocean and some ability to mitigate those. We are
23 required to mitigate them.

24 I'm very excited that probably the most fragile
25 and sensitive areas of the ocean are ones that you've dealt

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1 with dealing with the Marine Protected Areas. As was stated
2 by Mark, I grew up and represent the Monterrey Bay area.

3 My father for a short time was in the California legislator
4 and his legislation back in 1959 created the first underwater
5 state park in California off Point Lobos.

6 I didn't even know he had done that. He passed
7 away 10 years ago. I think in our family we have always
8 been very interested in creating protection of land and
9 the ocean and sound management based around good science.

10 I think this hearing on Thursday is sort of a culmination
11 of my youth and my life in politics to try to bring a really
12 strong policy and have a national policy for oceans to
13 strengthen NOAA and to establish a national and regional
14 oceans governance structure.

15 I thank you for doing the micro, in essence
16 the provisions that will create the national parks in the
17 ocean or the national forest in the ocean. I happen to
18 represent the largest marine sanctuary until last year.

19 We are very proud of that sanctuary. It has become greater
20 than anything we ever envisioned just because of the feeling
21 of the public who feels that they have ownership and being
22 proud that the ocean out there has this special designation
23 and working constantly to interpret it.

24 We never knew -- you'll love this story. I knew
25 that the National Marine Sanctuary had really -- you know,

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1 people come to Santa Cruz and they want to know where do
2 you get tickets to see it. They want to go in it like
3 a park. They think you just arrive at the ocean's edge
4 and then there's something that takes you into this National
5 Marine Sanctuary.

6 That appeal of coming to the ocean because it
7 does have this designation is just amazing. People want
8 to come and see a National Marine Sanctuary. What's exciting
9 is now they find, as everybody that lives around the ocean
10 knows, it's two dimensional. You see a flat plain.

11 The aquariums that have developed the interest
12 in whale watching, as my private fishing folks tell me,
13 they are making a heck of a lot more money off the watchable
14 wildlife than they ever were on the catchable wildlife.

15 They are very pleased with it. It's a cleaner industry.
16 Good turnaround. They make more money. It's also big
17 in the off-season which is the wintertime when the whales
18 are migrating.

19 Margaret Owings is a close
20 friend of mine and she created a law in California that
21 protected the sea otter. I always said that was the best
22 economic development bill we ever had because we have more
23 people creating images of sea otters not only in photos
24 and in film but earrings and pendants and coffee mugs and
all kinds of things that everybody takes home with them.

25 There's this whole new opportunity when we create

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1 these areas to strengthen, I think, an economic asset which
2 will help then develop more and more science which will
3 develop better management policy and it will just be
4 continuing on.

5 Another story I want to tell you is I knew we
6 had really made it in creating the National Marine Sanctuary
7 when I saw an ad in the Santa Cruz Sentinel by a used car
8 salesman saying that if you visited his used car lot --
9 his advertisement was mostly for San Jose which on the
10 other side of the mountains. San Jose goes to the ocean
11 directly -- that if you bought a car from him, you could
12 also visit the National Marine Sanctuary. I knew that
13 when used car salesmen are using the catch of the National
14 Marine Sanctuary that we had really upgraded ourselves.

15 Again, I'll stop and answer any questions you
16 might have but I think is hopefully going to be really
17 a great week to get us focused back on. We've got the
18 racks up on that and a lot of other stuff going on in Congress.

19 The fact that we're having our first even hearing on a
20 bill that's been worked on for the last seven or eight
21 years is a really good feeling. In the meantime you've
22 had a lot to do with bringing the attention to why this
23 type of legislation needs to be passed. Thank you for
24 your service.

25 CHAIRMAN HIXON: Thank you very much,

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1 Congressman.

2 Before I forget, I would extend an invitation
3 to you for a reception we're having on the Hill Wednesday
4 evening at 6:00 in the Russel Senate Office Building, Room
5 253.

6 CONGRESSMAN FARR: All the way over there on
7 the Senate side?

8 CHAIRMAN HIXON: All the way over there on that
9 side.

10 CONGRESSMAN FARR: It's easier to get to this
11 building.

12 CHAIRMAN HIXON: This federal Advisory
13 Committee is comprised of 30 very broad stakeholders from
14 a variety of ocean industries, the fishing community, the
15 environmental community, as well as scientists. We've
16 been working for three or four years now and are continuing
17 to do so. I'm sure there may be questions for the Congressman.
18 Anyone? Jim Ray.

19 CONGRESSMAN FARR: I would like to have some
20 -- you tell me what you think your council's recommendations
21 are. I haven't read the report.

22 DR. RAY: My name is Jim Ray. You made a very
23 interesting point early in your talk about the necessity
24 of having adequate funding. What is your feeling about,
25 at least on the Federal Government side, of designating

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1 new Marine Protected Areas of various flavors if there
2 is not adequate funding earmarked to be sure that they
3 can carry out their mandates? What is your feeling about
4 that?

5 CONGRESSMAN FARR: Well, I think that's always
6 tough. First of all, you are going dispute with the
7 administration on what the costs are going to be. They
8 are going to low-ball it or, if they don't like it at all,
9 high-ball it and then recommend against it. I'm not sure
10 you need a lot of new governance. You need to make existing
11 agencies work more collaboratively and more effectively.

12 I think we can get a lot of bang out of existing governance.

13 The problem that I've seen with the National
14 Marine Sanctuary is that we created some laws in that
15 sanctuary that are forcible laws but we don't have any
16 law enforcement. What we did because on land what you
17 do with fire departments is they all create these mutual
18 aid agreements and police departments are beginning to
19 do the same thing as they get more sophisticated certainly
20 under homeland security and what they call
21 interoperability.

22 We need to bring that concept of interoperability
23 to the ocean so that sort of the folks that are on the
24 ocean have the ability to also police it. Not necessarily
25 to write tickets but to report things that are wrong.

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1 I think we did that in the National Marine Sanctuary by
2 not getting any designated -- I think we now have a law
3 enforcement officer, a federal officer, but by in large
4 through a Navy -- excuse me, a Coast Guard lieutenant was
5 stationed in Monterrey just likes to do these things.

6 He wrote the whole code book. Then he went out and
7 went to different law enforcement agencies, sheriffs and
8 police forces around, highway patrol, state fish and game
9 folks, and just brought them all in and said, "Look, you're
10 the eyes and ears and the first responders. Why don't
11 we sign these mutual aid agreements that we are going to
12 help one another enforce these provisions in the ocean?"

13
14 We got a lot done for no cost. I think those
15 kind -- it takes leadership to do it because it's a lot
16 of micro-organizing but it can be done. I think you have
17 to do that in everything we're doing today. It's going
18 to be -- I mean, there's two things going for you. The
19 idea that Marine Protected Areas is just a good and smart
20 thing to have.

21 I think that sounds well and resonates well
22 with the concern you have obviously from people who
23 traditionally have had commercial interest in the ocean
24 and feel that this may be more regulation or prohibition.

25 They are going to develop some concerns. I think things

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1 can be worked out.

2 CHAIRMAN HIXON: Dennis Heinemann.

3 DR. HEINEMANN: I'm Dennis Heinemann. Thank
4 you very much for coming to visit us. As I'm sure you
5 are very well aware, there's been a lot of debate and
6 controversy about the benefits and values MPAs. I would
7 be, and I think the committee, would be very interested
8 in hearing your views based on your history with the politics
9 of the oceans and the governance of the oceans and MPAs
10 and your love of the oceans what you feel are the most
11 important values and benefits that society gets from MPAs.

12 CONGRESSMAN FARR: If you -- I'll just take my
13 own district which I kind of know better than anything
14 else, which has evolved in the last 10 years. We live
15 on the ocean. Our communities have always been on the
16 ocean. The only jobs in the ocean have been commercial
17 fishermen. Those jobs have been dwindling and now there's
18 a big tourist trade. A lot of the commercial fishermen
19 who have boats, particularly the party boats, are turning
20 them into watchable wildlife excursions.

21 But you've also had something else happen and
22 that is that the interest in marine science has really
23 grown in every one of our -- the University of California.

24 Santa Cruz has Long's Marine Lab. The University of
25 California state university system has Moss Landing Marine

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1 Lab. Stanford, a private university, has Hopkins Marine
2 Lab. The Packard family invested their own money not only
3 in building an aquarium but building a deep ocean research
4 center in Moss Landing.

5 We've had private sector researchers come to
6 the area and open up private firms. Because of the demand
7 for people on these research vessels you don't have to
8 be Ph.Ds in science but to drive the remote control vehicles,
9 we now have a community college certificating that
10 profession. And working with handlers on the boat to get
11 them trained.

12 Just last week I was talking to some folks in
13 the District about is there opportunity for employment
14 in the marine sciences. They said there is tons of
15 opportunity. This is a growth industry. I think it's
16 happening whether -- I mean, probably there is not enough
17 economic analysis done.

18 If you talk to the merchants and the fact that
19 they know the tourism has benefitted from it. Now as you
20 get access, access and interpretation, which I think is
21 why I like it. I think if you don't protect these areas
22 and you can't protect them without supporting knowledge
23 which is sort of interpretation. You interpret this stuff
24 like my father used to do taking me to the tide pool which
25 got me all excited.

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1 The other thing I've watched is the technology
2 and I think it was Sylvia Earl got me to visit MBARI Center
3 in Moss Landing where this little research car, the Newster,
4 was being -- you know, you spend a day learning how to
5 drive this thing. It looks like a little -- it's about
6 the size of a Volkswagen. You don't need any special
7 equipment. You can go in your street clothes. You can
8 drive this thing and I remember it said it could go to
9 depth of 4,000 feet.

10 It takes care of all the science and atmosphere
11 is taken care of and pressures and everything. It hit
12 me if they've got these things out there now, and the idea
13 was to build them so more and more people get access, it
14 won't be long before Hertz and Avis has those. You're
15 going to rent these things. I represent the 17-mile drive
16 which is the drive around the peninsula at Pebble Beach.

17
18 I just said, you know, we're going to have an
19 alternative. You can either do that on land or under the
20 water. I think the under water will have more demand than
21 the -- you've got to pay 8 bucks, 16 bucks or something
22 to go see the other one. That's where I think this innovation
23 takes us. I think we will be in the sea as soon as we
24 can get in there. There will be all kinds of interest.

25

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1 Have you been hearing just comments about how
2 many people have been watching this series on television
3 on the Planet Earth and how many of my colleagues in Congress
4 saw that series last week on the leatherback turtle that
5 migrated from the coast of Mexico all the way to Samoa
6 or some place and the way that was all put together? I
7 have never heard so many people. I think we are so bored
8 of watching politics today we are all watching nature
9 channels to get a reality check.

10 Those things are just growing and I don't think
11 -- I think those who criticize it fail to understand what
12 it really takes to do sustainable economic development.

13 Sustainability is a word we throw around very loosely
14 but sustainable means protection and management.

15 I think of what sustainable means in agriculture
16 which is best management practices. It seems to me all
17 this adds up to best management practices whether you have
18 the Navy shooting or doing sonar or whether you are a fisherman
19 trying to make a living off the ocean. We can all do it
20 a little smarter.

21 CHAIRMAN HIXON: We've got Bob Bendick, Dan
22 Bromley and Bob Zales.

23 MR. BENDICK: I'm Bob Bendick. You commented
24 on how more people seem to be interested in the health
25 of the earth. How would you handicap your bill and its

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1 chances of passage and what do you think the biggest failure
2 is to getting it passed and getting a national ocean
3 governance system in place today?

4 CONGRESSMAN FARR: The biggest barriers are
5 ignorance and the administration. I don't think they are
6 keen on thinking this is necessary. They haven't opposed
7 the bill but they haven't done anything to come and suggest
8 they are going to testify in favor of it.

9 So far there is only one commercial fishery
10 interest in Alaska that has indicated they have concerns
11 with it and they have not really -- from what they have
12 been doing in working out some policies in Alaska, I don't
13 know how they can oppose it because they are already on
14 record supporting a lot of those things.

15 This bill doesn't go into specifics. It leads
16 up to entities like you are on right now like the advisory
17 to make subrecommendations. But this does do a lot for
18 coordination and for setting up national standards for
19 impact. I think that is really essential.

20 CHAIRMAN HIXON: Dr. Bromley.

21 DR. BROMLEY: Thank you for coming. I'm an
22 economist and some of the members of my tribe believe that
23 people like you are interested in the monetary value of
24 nature. Many of my colleagues spend their lives trying
25 to put dollar values on nature. I guess I would like to

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1 ask you as someone who sits and has to make choices and
2 decisions do you find that approach compelling or do you
3 mobilize your reasons on other grounds? Do you understand
4 my question?

5 It's sort of a utilitarian monetization of the
6 world versus other kinds of arguments for protection and
7 what have you. I would like to hear from somebody who
8 has to raise his hand every now and then. Is what my tribal
9 members are doing a useful exercise for you or do you regard
10 it as something else?

11 CONGRESSMAN FARR: I think what's missing in
12 the environmental community is the discussion of economics.

13 I was always -- I'm a Peace Corps volunteer and I was
14 always the idealist. It didn't matter what cost. It just
15 didn't matter. You just did what was good. From my love
16 of nature being brought up in Carmel it was just the natural
17 thing to do.

18 As I got older I started to realize I became
19 a county supervisor and then I had to fight all those battles.

20 Essentially it's the value of private ownership versus
21 this sort of environmental cause. Now in the
22 board of supervisor's meeting the developers would come
23 in with sketches and lawyers and planners and had gone
24 out and talked to all the labor unions who were in the
25 building trades and they would come in and give this great

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1 presentation about how beautiful this project is going
2 to look and how much revenue it's going to generate and
3 taxes and how many people it's going to employ to build
4 it and how happy people are going to be for the rest of
5 their lives to have all this housing sprawl development.

6
7 Somebody from the Sierra club would get up and
8 say, "I don't like it," not based on anything. Just, "We
9 don't like it." It just hit me if I'm going to communicate
10 the value of environmental protection, environmental
11 management, then I've got to put some figures on it.

12 DR. BROMLEY: Put a dollar value on it.

13 CONGRESSMAN FARR: Yeah. Then you're talking
14 business sense because that is what is driving everybody.

15 That is why I talk about Margaret Owings. I mean, my
16 first campaign chairman was Ansel Adams and I learned that
17 Ansel Adams certainly got a good value for his interpretation
18 of the environment and with that was able to do a lot of
19 wonderful things.

20 If he didn't have the income to be -- I mean,
21 he was a very skilled technician and incredible photographer.

22 He also had the wherewithal to get the message out. I
23 think we need to get the message out. I think the problem
24 so often with economists is it is too hard to understand
25 the way they deliver the message. It's got to be linked

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1 to things like -- I mean, pictures of sea otters. I mean,
2 those kinds of things. People get that.

3 DR. BROMLEY: I'm sorry. You're right but that
4 is a different thing. What I was really addressing is
5 what people would be willing to pay to preserve the ocean.
6 You see, that's a dominant activity.

7 CONGRESSMAN FARR: Those are really important.
8 We need to have that legislation. You do it here but
9 not so much. In California every idea you have you have
10 to go out and get an economic impact. Unfortunately many
11 of these people don't ever give it future value. It's,
12 well, what is it going to cost us today. We've got to answer
13 more questions and print more paper and, therefore, it's going
14 to cost you something. What's the value of watching a
15 sunset?

16 DR. BROMLEY: If I told you, would you believe
17 that number? That's my question. If I said I had done
18 a survey and people told me the value of watching the sunset
19 was \$8,000 or \$8 million, the question that I have is would
20 you believe me?

21 CONGRESSMAN FARR: Yeah, I think, if you could
22 back it up.

23 DR. BROMLEY: With what?

24 CONGRESSMAN FARR: What it takes to watch a sunset.
25 We've got to be there. If you don't live there --

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1 DR. BROMLEY: Spend money to get there.

2 CONGRESSMAN FARR: Get there. You have to watch
3 it in different ways. You take pictures of it.

4 DR. BROMLEY: I can give you good numbers on
5 that.

6 CONGRESSMAN FARR: That all adds up. If we
7 didn't have the sunset, maybe we wouldn't buy all those
8 things to do that.

9 DR. BROMLEY: Okay. Thank you.

10 CHAIRMAN HIXON: I've been told, Congressman,
11 take one more question so Bob Zales is next in line.

12 VICE CHAIR ZALES: My name is Bob Zales, II.
13 I'm currently President of the National Charter Boat
14 Association. I'm from Panama City, Florida. Kind of along
15 the lines of what Dan was talking about in economics, there's
16 two things. Mine is kind of a two-part thing because also
17 what you're talking about about the ecosystem and operations
18 now for whale watching and stuff like this.

19 When you talk about EISs, and not necessarily
20 with information that has come out of Congress but with
21 our experience with the National Marine Fishery Service,
22 many times this information seems to be that somebody has
23 been very good at wordsmithing and put together some
24 information in an economic impact study that is not
25 necessarily accurate but it's the only information that's

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1 there and you have to deal with the best information available.

2 We've got serious concerns about that. Like
3 Dan said, we can show in many cases economic impact much
4 more severe because of close regulations and what is actually
5 there and what you all as congressmen see. How do you
6 deal with that? That's the first thing.

7 The second one is when you're talking about
8 the ecosystem tours how do you weigh the cost benefit because
9 what we've seen in the Gulf, the manatees and also with
10 dolphins, is that when you get out here and you do these
11 dolphin watches and with discards that we have to do with
12 fishing, you create a nightmare because what you do is
13 kind of like putting food at your doorstep and a raccoon
14 coming there every night. As long as you
15 provide food they are going to come. These animals get
16 used to being around boats. The public gets in and swims
17 with them. They cause problems there. How do you deal
18 with that?

19 CONGRESSMAN FARR: I think your questions are
20 the key to the whole thing. That is why I'm -- I mean,
21 you need leadership in the commercial industry to understand
22 also the value of sustainability. Monterrey used to be
23 the largest sardine port in the world. You can read
24 Steinbeck's Cannery Row talking about where it all got
25 processed.

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1 In the mid-'50s the sardines totally disappeared
2 and we had a huge -- we didn't have any bailout money for
3 industry just crashing. We had an economic disaster in
4 Monterrey for many, many years. Many years. There was
5 nothing for the fishermen to do. Actually, what I think
6 brought it back was changing the name from squid to calamari.

7
8 People wouldn't eat squid but they love calamari.

9 That kind of helped get us back which we had no seasons
10 on. To this day you can just catch squid and squid became
11 more valuable -- one of the most valuable fisheries on
12 the coast. They are just getting pounded because you can
13 fish them as much as you want any day or night of the year.

14 I think that is the problem. If you just sort
15 of do same old same old how do you end up sustaining it
16 so that you will have a fishery to return to? That is
17 the balance that we need more science on. Sometimes you
18 have to air on the side of caution.

19 Now, when you do that I think there ought to
20 be economic bailout for the fishermen. We're using figures
21 we just passed. In the supplemental there is a big bailout
22 for the salmon fishermen in Oregon and California because
23 of the resident economics. It was not a natural disaster.

24 It was a combination of taking water from the Klamath
25 and giving it to water intensive farming on federal lands

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1 in Oregon and then not having enough stream flow so that
2 the water temperature changed. A parasite got in there
3 and infected the fish run.

4 Then we had low rainfall and the river went
5 dead for about a year. It just wiped out or severely affected
6 the salmon spawning. We had to declare -- NOAA had to
7 declare a disaster. We have just put \$70 million in the
8 supplemental to help these salmon fishermen.

9 The same economics that tried to guess what
10 the disaster was and how they are going to pay the salmon
11 fishermen, they are going to have to come up with -- you
12 don't just give money out so they are going to have to
13 come up with very specific records and values to show how
14 much money they lost that year which they would have otherwise
15 made.

16 It goes both ways. I think those figures are
17 loose sometimes for shutting down. You shut down on the
18 side of error. But when there's damage the figures are
19 loose, too, so we just try to perfect that and that is
20 why you need these better measurement tools that the tribe
21 of economists are going to provide for us.

22 You don't want to lose that fishery. You know
23 the value of nurseries and you know what's happening to
24 them. Why not keep some of these areas and see what happens?
25 You heard some stories, and I don't know whether they

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1 are just anecdotal, that these closed areas replenish and
2 you can fish on the edges and do very well and perhaps
3 they will reopen some of these areas.

4 I think we are going to need much more -- California
5 with all its fisheries are now becoming almost all limited
6 entry. You just can't put every boat out there with all
7 the equipment they have and just pound the fish. We've
8 got to manage the stock. We do that on land. I have a
9 cattleman who because we have no rain he just said, "I
10 had to get rid of my entire cattle herd this year."

11 I said, "How are you going to make money?" He
12 said, "I'm going to do recreational tourism. Get people
13 on horses riding around my ranch and hunting wild boar
14 and stuff like that." He said, "My cattle, I can't keep
15 them on the range. I would have to bring in hay. It's
16 not cost effective. They would also eat the limited grass
17 and they would destroy that pasture."

18 He said, "I've been working for years and years
19 to get that pasture to be really sustainable by nature
20 and nature is taking away my option this year so I'm not
21 growing cattle this year. I think maybe those are the
22 kinds of things we have to start approaching when we are
23 looking at wildlife and natural habitats for sustainable
24 livestock for fisheries.

25 VICE CHAIR ZALES: A quick follow-up. That's

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1 kind of my point. Rather than rush into developing a new
2 type activity which would be the whale watching in the
3 Gulf and so on and so forth because you don't know what
4 -- a lot of times unintended impacts cause unintended
5 consequences.

6 The deal is by rushing in to do this not knowing
7 what the consequences will be because, like I said, I know
8 that in the Gulf of Mexico we created a nightmare with
9 predator prey. Then dolphins and manatees and things like
10 this are being killed unintentionally because they are
11 getting used to the activity of seeing people so research
12 needs to be done.

13 CONGRESSMAN FARR: Why do they benefit? Do you
14 feed them?

15 VICE CHAIR ZALES: While you're feeding them
16 because you have to discard fish. In areas along the beach
17 you are not feeding them but because the dolphins see a
18 lot of boat activity. Everybody is watching. They are
19 all on boats and they are watching the dolphins. The
20 dolphins get used to the fact that these boats are there.

21 They are not being hurt but then when they are out and
22 around they are not paying attention to the boat being
23 in the water and a lot of times they get hit and things
24 like this. It's these kind of things.

25 As an example last week, there was a 1,000 pound

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1 Mako caught on the beach. The Mako had a dolphin in his
2 mouth. He was eating it. Those dolphins probably would
3 not have been there had people not been watching them because
4 these animals get used to being seen and they like to play
5 and interact with the public. It's those kind of things
6 that go on with this that somebody needs to see. Years
7 from now it may be this new industry created more problems
8 than it should have.

9 CONGRESSMAN FARR: I wouldn't be afraid of it.

10 I would manage it. That's what you've got to do. You've
11 got to learn from practices of how to better manage. We
12 had an operator who decided because there are so many Great
13 White Sharks in the depths of Monterrey Bay that he was
14 going to do a White Shark experience where you could go
15 down in these cages.

16 He was just chumming the entire sea with all
17 these dead carcasses, bloody carcasses. Guess who finally
18 -- he didn't get a permit to do it. What finally put him
19 out of business were the surfers who didn't like getting
20 eaten by White Sharks. Again, you know, you kind of --
21 these things have an action and a reaction. But to say
22 that you shouldn't get in it and deal with it seems to
23 me is just the wrong approach. If there is a problem out
24 there, study it.

25 CHAIRMAN HIXON: Thank you so much, Congressman.

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1 CONGRESSMAN FARR: I look forward to your help
2 with H.R. 21. It won't hurt the commercial fishermen.
3 I represent a lot of them. Thank you very much.

4 DR. HIXON: Lauren, can se get a copy of that
5 bill?

6 MS. WENZEL: Yes.

7 CHAIRMAN HIXON: Julie, are you ready?
8 Charlie.

9 MR. BECKER: I jst want to comment that with
10 his father's creation of Point Lobos, does everybody
11 understand that was the first Marine Protected Area in
12 California State Park established October 1960 which then
13 was followed by John Pennicamp State Park in December of
14 1960. I'm glad to see that he's still a strong advocate
15 of his father's work.

16 CHAIRMAN HIXON: Okay. Since we are meeting
17 at the NSF headquarters, National Science Foundation, it
18 seems appropriate to hear from NSF regarding research funded
19 by the National Science Foundation that is relevant to
20 the natural and social science Marine Protected Areas.

21 As Julie loads up her talk, Dr. Julie Morris is the Director
22 of the Division of Ocean Sciences at NSF.

23 She is actually the person who funds my research
24 through biologic oceanography. I had the pleasure of
25 serving with Julie on another federal Advisory Committee.

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1 This is the NSF geosciences directorate committee on which
2 I serve and Julie is an ex officio member. Please welcome
3 Julie and she'll tell us about relevant science at NSF.

4 DR. MORRIS: Thanks, Mark. It's good to be here.

5 Because you were perhaps unwise enough to give me half
6 an hour, I decided to generously share the time. What
7 we're going to do is I'll take probably 10 or 12 minutes
8 to talk about the context for marine ecology work here
9 at NSF and where we see it heading in the future in part
10 through interagency cooperation of the sort that
11 Congressman Farr was just talking about.

12 Then I'll hand off to Phil Taylor who many of
13 you will know is the lead program officer for Ocean Sciences
14 Division Program in biological oceanography. Phil will
15 talk about some of the ecosystem science that is coming
16 out of NSF in the last couple of years and where he sees
17 his program heading in support of ecosystem-based science.

18 Sorry. NSF's equipment isn't working very well.

19 We'll get it. While I'm doing this, one of the things
20 I did want to say is that it's a great time for me to be
21 with you and for you to be here recognizing the advent
22 last year of the Hawaii Marine Protected Area. Also all
23 of the items in the news that we read about about the severe
24 stresses on marine ecosystems in general and the living
25 marine resources in particular.

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1 Stresses that come from climate change, from
2 increasing temperature and decreasing pH, from habitat
3 degradation and outright destruction, and also from
4 harvesting practices that are not really sustainable.
5 You've seen some of the news, I think, about harvesting
6 practices that are driving some fishery stocks to thresholds
7 of unsustainability and that in the process are driving
8 evolutionary change and changing characteristics in fish
9 stocks in human lifetimes as a result of fishing practices.

10
11 These are all reasons that we collectively are
12 interested in the whole question of ecosystem-based
13 management. This is not a new interest of NSF. For almost
14 a decade we've recognized the importance of Marine
15 Protected Areas to sustain marine populations and
16 ecosystems. We begin paying particular attention in 1998
17 with a series of Futures meetings that led to a couple
18 of reports.

19 Because we're the Government and because we're
20 NSF we write reports and we like them to have titles with
21 good acronyms so we have OEUVRE, which is Ocean Ecology,
22 Understanding and Vision for Research, and APROPOS which
23 looked at the fiscal oceanography that underlies the
24 biological systems.

25 The next step was in the year 2000 when the

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1 ocean sciences put together a document called Ocean Sciences
2 at the New Millennium. The challenge here was to identify
3 the most important and promising opportunities for
4 discovery and new understanding in ocean sciences over
5 the next decade.

6 The framework was important interdisciplinary
7 questions that can't be fully addressed until we can pursue
8 the processes on the appropriate space and time scales
9 with advanced technology. And population connectivity
10 was highlighted in this report as an essential next step
11 for marine ecosystem research.

12 Many of you will understand this better than
13 I. What Mark didn't tell you because I didn't tell him
14 is that my background is as a marine geologist. I've been
15 here for a year which is why Phil is going to be talking
16 to you about the biological oceanography science which
17 will be a good thing for everybody.

18 With population connectivity we are looking
19 at how coastal circulation affects the dispersal of early
20 life stages of marine populations and then the consequences
21 of that dynamics for the spacial dynamics of the populations
22 and the near-shore communities. NSF recognized
23 this as basic fundamental research in an area that is a
24 bottle neck now for advancement in a lot of areas that
25 have both basic and applied science implications. You

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1 see some of those there specifically including Marine
2 Protected Areas but extending beyond that as well of course.

3 This is an area of science that is exciting
4 to NSF for a lot of reasons. It is very strongly
5 interdisciplinary. When I say that, I mean not just that
6 it connects my division's chemical oceanography, physical
7 oceanography, and biological oceanography with biology,
8 but it also pulls in some of the things that you were talking
9 about just now with Congressman Farr, the economics, the
10 resource management decisions, the linkage of resource
11 management with recreation and the whole coupled natural
12 human systems which is the direction that NSF is heading
13 in linking the natural sciences with the human systems
14 more closely.

15 Of course, there are just a whole range of great
16 questions here that tie into evolution, to the ecosystem
17 response to climate change, thresholds and non-linearity
18 on ecosystem responses and a whole lot more. These are
19 a lot of really good questions that mean that these are
20 areas that are NSF as well as NOAA. NSF doesn't think
21 of Marine Protected Areas or ecosystem-based management
22 as something that should be some other dude's job. It
23 is something that we see as part of our mandate.

24 Using cutting edge tools in a whole range of
25 ways. We are developing new ones as we go but the integration,

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1 the use of and the integration of genomics, very
2 sophisticated isotope and tracer geochemistry, new and
3 developing in situ sensors makes us a very frontier area
4 of study.

5 Of course, the modeling. Ecosystem modeling
6 is a grand challenge that NSF looks towards as we think
7 about why we would build a Peta-scale computing system
8 and what we would be doing with it. Ecosystem-based modeling
9 is one of those grand challenges. It's a challenge for
10 a lot of reasons.

11 If you think about the birthplace of a larval
12 species, their dispersal as a function of ocean currents,
13 their well-being as a function of the biological and chemical
14 climate, and then the long distances that some of these
15 dispersals occur over, you realize that the scales are
16 too large for a single investigator or a small group of
17 investigators which is what NSF is most adapted to dealing
18 with.

19 What you are looking at needing is some sort
20 of aggregation of proposals that add up to a coordinated
21 program that looks at the system in its entirety over a
22 wide range of spacial scales but done in a way that respects
23 how NSF works which is through proposals that survive the
24 very competitive peer review system.

25 There are some financial issues involved.

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1 Ship-time costs are escalating so NSF is putting more money
2 into ship time than we have but we can't offset the decrease
3 in funding for ship time that comes from agencies like
4 NOAA and Navy so there are fewer days at sea.

5 We anticipate that in situ technologies that
6 are coming along can help with some of that but they are
7 typically slow to develop and expensive as well. I will
8 say that developing biological sensors and chemical sensors
9 specifically for marine ecosystem studies is one of the
10 priorities, one of the near-term priorities for the ocean
11 research priorities plan which I'll talk about in a few
12 minutes.

13 And the kind of multi-disciplinary studies that
14 are necessary to really get at the science are also expensive.

15 You see some cost issues that we are struggling to deal
16 with as Phil's program funds these kinds of studies and
17 would like to do it in a more orchestrated and large-scale
18 way.

19 There are some other issues. Building in truly
20 interdisciplinary communities is slow and understanding
21 the ecosystem interaction factors make modeling very
22 challenging intellectually so that the Peta-scale grand
23 challenge for the modeling isn't just on the computing
24 end. It's on the intellectual end as well. Then changing
25 ecosystems makes this even more difficult to come to grips

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1 with.

2 Fortunately we have some friends and this is
3 some of the stuff that Congressman Farr was just talking
4 about, the Oceans Act in 2000 which led to the Ocean Commission
5 Report in 2004 which came out at about the same time as
6 the Pew Commission Report. I think as Congressman Farr
7 emphasized, both of them noted very strongly, very
8 unequivocally the central role of the oceans in the health,
9 well being, and prosperity of the nation.

10 The critical role of ecosystem-based management
11 for dealing with water shed, making decisions in water
12 sheds and coastal oceans, and the absolute need for basic
13 science research that would underpin that ecosystem-based
14 approach to resource management. This administration
15 issued the Ocean Action Plan in December 2004.

16 In that was a specific call for a basic research
17 program designed to address ocean questions that related
18 directly to societal needs. That led to what is called
19 the ocean research priorities plan charting the course
20 for ocean sciences in the United States for the next decade.

21 This is meant to be a national plan that involves federal,
22 state, and local agencies, industry, NGOs, and academia
23 in a coordinated way.

24 As part of that ocean research priorities plan
25 25 agencies plus 150 people from other sectors came together

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1 and said what are the most important things we need to
2 be studying in the next decade about the ocean. There
3 were six different societal themes three of which tied
4 to ecosystems.

5 The first set of priorities is stewardship of
6 natural and cultural ocean resources. This is on the website.

7 I won't walk through it with you but I just want you to
8 know how important resource abundance and distribution,
9 interspecies and habitat species relationships to support
10 forecasting, the human use patterns that may affect and
11 influence resource stability. Interaction of basic
12 science with the social sciences to do fundamental research
13 on the sustainability of living ocean resources.

14 No. 12, the one in the middle here, is the impact
15 of climate variability and change on ecosystems and
16 basically how change propagates into ecosystems. There
17 is one that specifically improving ecosystem health where
18 you look at No. 14 and go, "Wow, that's everything." It's
19 a very big, very broad topic. Understand and predict the
20 impact of natural and anthropogenic processes on
21 ecosystems.

22 Then apply that to develop socioeconomic
23 assessments and models to evaluate the impact of human
24 use on ecosystems, some of what you were talking about
25 before. Then develop metrics for sustainable use and

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1 effective ecosystem management.

2 Those are three of the six societal themes that
3 are part of the ocean research priorities plan. This plan
4 was developed to try to shape the FY '09 budget for the
5 federal agencies but OMB surprised us and they said, "If
6 we had money to spend in FY '08 where would we spend it?"

7
8 These 25 agencies got together and solicited
9 input from the various members on what we would call near-term
10 priorities. These were meant to be areas where we could
11 make significant progress in two to five years where there
12 was a strong need for interagency cooperation to make these
13 things happen.

14 Gosh, I just forgot what I would
15 going to say. So strong interagency and -- oh, an urgency
16 to the science. Out of something like 16 suggestions 25
17 agencies actually agreed on four priorities one of which
18 is called CAMEO, Comparative Analysis of Marine Ecosystem
19 Organization.

20 You can see the premise here which is that
21 management of marine ecosystems can be improved by
22 determining the underlying dynamics of these systems at
23 a variety of scales. In the 2008 President's budget request
24 there's \$5 million for NOAA and \$5 million for NSF GEO
25 to pursue the goals of this, which I'll talk about a little
bit more in a minute.

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1 Now, in total there was \$40 million worth of
2 new money in the President's FY '08 budget for near-term
3 priorities related to the Ocean Research Priorities Plan.

4 So CAMEO itself is the first steps to link the data obtained
5 through integrated ecosystem assessments with research
6 that understands how human and other pressures on the system
7 change the state of indicators of ecosystem health and
8 state.

9 It's a development of advanced modeling
10 frameworks that extend to existing approaches, application
11 of those modeling frameworks to represent a set of marine
12 ecosystems, that is, Marine Protected Areas. And then
13 comparison of existing Marine Protected Areas as a
14 management tool focusing on key-size questions that
15 underpin how they are used. In effect, is the
16 ecosystem-based management as practiced in Marine Protected
17 Areas really doing the job that we want ecosystem-based
18 management to do as we move through it more nationally.

19 Those are three major themes for CAMEO which
20 will begin, we hope, with funding which we absolutely expect
21 to begin flowing on October 1st of this year maybe. I'll
22 just leave you with the fact that a CAMEO steering committee
23 has been established and you can see the numbers down here
24 some of whose names you'll recognize.

25 The purpose of the steering committee, which

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1 is a strong blend of academics and agency types, is to
2 develop the specific research priorities for getting after
3 the goals of this plan; select two or three candidate regions,
4 that is, the MPAs for the MPA part of it; develop specific
5 RFPs to inform the funding agencies and organizations;
6 and outline a structure and operating principles to oversee
7 the program and effectively allocate resources.

8 This is all sort of Government speak in a way
9 but I think it's testimonial to the level of planning that
10 is going into making CAMEO a reality should the funding
11 begin to flow in FY '08.

12 I think with that I'll leave it except to wind
13 up by saying that you see the Marine Protected Areas as
14 a haven but also a test bed for ecosystem-based management.

15 With that I'll hand it over to Phil. I'll be here for
16 questions after Phil.

17 DR. TAYLOR: That was a great introduction.
18 What I want to do is give you a little bit more flavor
19 of what's going on specifically in the Division of Ocean
20 Sciences now with regard to science that relates very clearly
21 to MPAs on the horizon or ecosystem-based management and
22 what we hope to be doing in the future as well.

23 First of all, I'll just say that clearly we
24 now that we are harvesting living resources of the sea.

25 We know we have a pretty big impact. We need to know

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1 much more from a basic science perspective to see if we
2 really can bring them back, conserve them better, preserve
3 them or restore them and the like.

4 Julie talked a little bit about population
5 connectivity. We don't have an initiative that
6 specifically relates to MPA science, basic science or
7 ecosystem-based management but we are doing a lot of science
8 in the context of the Ocean Sciences Division already while
9 at the same time trying to work with the academic community,
10 work with other agencies in the Federal Government to create
11 the atmosphere for the flowing of funds towards what we
12 all consider to be an important problem.

13 Population connectivity, as Julie said, is one
14 of those important areas that we have been working with
15 in the division, particularly biological oceanography and
16 physical oceanography. Clearly there is a critical need
17 to understand populations at a spacial scale that we haven't
18 really been focused on in the oceanography realm for quite
19 a while. That is why those sorts of questions of a basic
20 nature are so relevant to MPAs.

21 MPAs are generally thought to be in a spacial
22 context, although they don't have to be but they generally
23 are. Whereas oceanography in the past has often been
24 concentrating on the fact, except on the geological side,
25 that the ocean exist as a fluid entity and special isn't

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1 always -- hasn't always been as important a construct in
2 the thinking. We need to change that.

3 We have a lot of good examples of research that
4 we have been starting up. I should step back and say that
5 after the population connectivity theme became so prominent
6 in discussions of the Futures meetings back in 1998 and
7 then reiterated in the 2000 Millennium Report, the
8 biological oceanography program and physical oceanography
9 program at NSF decided they wanted to make sure even though
10 there wasn't new funding available that the community knew
11 that this was an important area for NSF to be investing
12 in.

13 It was an area that was not simply a NOAA
14 responsibility. While it related to things like fisheries
15 management and MPA there is fundamental science needed
16 and NOAA cannot be expected to do it all by itself. There
17 is an academic community that has the intellectual resources
18 to help drive that type of science.

19 Anyway, I just wanted to give you a little flavor
20 and you probably have this to look at later but some of
21 the projects that we are currently funding from in the
22 Ocean Sciences Division. Here's one on population
23 connectivity issues within the Florida Key system. Sue
24 Sponagle and a number of her collaborators at the University
25 of Miami looking at these important questions that relate

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1 very directly to issues of sustainability in marine resource
2 population.

3 Another one that comes out of a large program
4 at the foundation called Biocomplexity that had a good
5 run and is just ending this year actually. One very large
6 program headed up by Dan Bambaugh, American Museum of Natural
7 History but involving a number of institutions and
8 scientists around it. Focused very directly on the coupled
9 natural human system of the created Marine Protected Areas
10 in the Bahamas and the ecology of the Bahamas as well.

11
12 There is a group that has been working very
13 closely with trying to understand how these systems, these
14 Marine Protected Area systems work, whether they are useful,
15 what the human impacts are, the human, social, and economic
16 impacts.

17 They have been looking at also the fundamental
18 ecology and evolutionary ecology with regard to populations
19 and how related they are across fairly large scales. In
20 this case Melinda Olson, Steve Palumbo and others are looking
21 at the genetic relatedness across the Caribbean and western
22 tropical Atlantic and how that relates to the issue of
23 connectivity of population.

24 On a smaller scale here we have a little project
25 that just recently was started by Mark Hixon also looking

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1 at the Bahamas but at a much smaller scale. Probably on
2 the order of 100 kilometers at most. Less than that actually.

3 Trying to understand, again, the connectedness of
4 populations that are an important resource and use that
5 information eventually for the management of these
6 resources.

7 Then on a much larger scale, and really thinking
8 about connectivity more from an evolutionary perspective,
9 because, as Julie just said, we know that the harvesting
10 of resources now is actually causing evolution in those
11 resource populations. It's not a geological time frame
12 but it can be a human time frame.

13 We know that fisheries are actually causing
14 changes in fish populations. Anyway, here is a project
15 you can look at a little bit later with Michael Hellberg
16 and Iliana Baums looking at across the tropical Pacific
17 and trying to understand how coral populations are connected
18 now and over recent evolutionary times. This theme of
19 population connectivity is kind of a term and might not
20 resonate with you specifically but it very much relates
21 to the issue of population and spacial context.

22 One of the reasons why we are ready to do much
23 more in this area is because we are making advances in
24 some of the technologies from the physical and biological
25 modeling that is being driven both by the intellectual

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1 integration of biological oceanographer's climate
2 scientists, physical oceanographer, but also advances in
3 areas like geochemistry and how we can use markers in muscles
4 or in fish otoliths, muscle bivalves and their calcium
5 carbonate indicators in the protocon.

6 To understand the trajectories that larvae take
7 over their life history and how that interacts with the
8 physical realm of the coastal ocean. Trace metal
9 geochemistry methods have also been an advance. We are
10 studying systems in this light from coral reefs where there
11 are protected areas we've talked about, estuaries. There
12 are protected estuaries now.

13 Shelf seas and even to hydrothermal vent systems.

14 Lauren Mullineaux had a big project on understanding
15 connectivity in the fauna that live in hydrothermal events.

16 There are increasing interests in deep sea areas, human
17 impact on deep sea areas, deep corals as well as hydrothermal
18 events. So a need for thinking about this type of science
19 even at those more inaccessible realms.

20 We have also had some progress along this line
21 in a general NSF activity called IGERT, Integrative Graduate
22 education and Research Training Programs. Steve Gaines.

23 I'm sure you know the name Steve Gaines from UC Santa
24 Barbara who was one of the winners in the IGERT competition
25 to put together a research and training activity that has

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1 a large focus on Marine conservation and Marine Protected
2 Areas. He's just one of many people involved with
3 training the future scientist, both Ph.D. scientists all
4 the way to undergraduates, to deal with some of these complex
5 questions, interdisciplinary needs in conservation
6 biology.

7 Beyond that you've heard about the Pew Commission,
8 the Ocean Commission Report, what they've been calling
9 for. I won't go into all the details on that but one of
10 the things that's important from my perspective as a program
11 manager and is resonating elsewhere in the division is
12 that we have to recognize at the NSF that there is great
13 fundamental science to be waged relative to preserving,
14 managing living marine resources.

15 We need to start thinking as a community in
16 the academic world as well as in the federal sector about
17 the cultural system that we have that has often in this
18 country and elsewhere, it's not uncommon, where you have
19 a resource agency like NOAA separated from a basic science
20 agency like NSF when in reality we know that the academic
21 oceanographers and climate scientists and marine ecologists
22 and evolutionary biologists need to be working with the
23 excellent fisheries oceanographers, fisheries ecologists
24 in NOAA in order to make progress much quicker and much
25 more effective in this area.

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1 This is why this theme of science came very
2 strongly out of the Futures reports and is very much a
3 priority in biological oceanography right now working with
4 others in the Division of Ocean Sciences, particularly
5 physical oceanography and others in the Federal Government,
6 particularly NOAA and the National Marine Fishery Service.

7
8 It is from my point of view an opportunity and
9 CAMEO is maybe the first step in that in really engaging
10 a part of NOAA that NSF has been involved with at the scientist
11 level for quite a while, that is the part of the NOAA being
12 the National Marine Fishery Service, but we have never
13 been involved with them in more of a Washington, D.C. based
14 science management point of view. We've been involved
15 with them in GLOBEC in the harmful algal blooms area for
16 a long time but never working directly with that part of
17 NOAA as an agency.

18 Anyway, great science ideas that have to be
19 explored, have to be broadened, tested, challenged with
20 research that both the academic and federal sectors are
21 needed to attack. And also, I should say, one of the
22 challenges in CAMEO and one of the challenges we have in
23 the Division of Ocean Sciences for ourselves is to work
24 much more closely with those social behavioral and economic
25 sciences in order to make progress.

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1 Okay. I think I'll leave it at that. There
2 are clearly in this sort of overall area of science clearly
3 different types of themes, population type of themes that
4 very clearly relate to Marine Protected Areas in a spacial
5 context, but also other types of scientific questions or
6 themes from ecosystems to evolution, as I mentioned, to
7 climate impacts and, the last one, as I just mentioned,
8 coupled human natural systems.

9 Not just what we have been dealing with for
10 the last couple decades in harmful algal bloom research
11 or GLOBEC, global ocean ecosystem dynamics, not just asking
12 the question how are the managers going to use the basic
13 science information that we derive but getting engaged
14 directly with social sciences, behavioral sciences,
15 economic sciences and having their questions, their
16 scientific questions elevated to a level of ours so that
17 we can really integrate those themes and make progress
18 that will allow the efforts of a committee like this to
19 print out reports that engage the policy makers effectively
20 and convince them that, yes, there are social reasons to
21 create MBAs.

22 There are economic reasons. Here are our models.
23 Here is how we assess whether these models are good or
24 not. Here is how we come up with estimates about the economic
25 costs or economic benefits of the decisions that we think

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1 need to be made.

2 Anyway, that's it. I won't go on any further.

3 Any questions for Julie?

4 MR. PETERSON: Max Peterson.

5 CHAIRMAN HIXON: Just a bit before -- just a
6 little bit of context before we get into this. This idea
7 of population connectivity, how it relates to Marine
8 Protected Areas is if an area is set aside and say the
9 fish in that area are spawning, what happens to their larvae?

10
11 Does larvae drift away from the spawning
12 population? Does it seed areas outside that MPA? Does
13 it seed areas inside or to another MPA? Connectivity at
14 an ecological perspective is an extremely important issue
15 for MPAs in natural resources that NSF is actively working
16 on.

17 Max, first question.

18 MR. PETERSON: I'll just say that this is sort
19 of an overwhelming thing that you lay out here because
20 obviously some of these questions won't be known for 100
21 years. The question is we're dealing with MPAs and I would
22 really like to know from you all what role you think the
23 MPAs, Marine Protected Areas, can play in answering some
24 of these questions like the one that Mark asked right now.
25 It seems to me like before we understand the entire ecosystem,

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1 which is only one, somebody needs to figure out a way to
2 deal with the thing on a smaller scale. Anyway, how are
3 you looking at that?

4 DR. TAYLOR: Well, okay. If I understand your
5 question right, and I'll rephrase it and say that you're
6 asking how science might benefit by the creation of MPAs.

7 MR. PETERSON: Well, maybe how society might
8 benefit from it and what role science might play in making
9 that come about.

10 DR. TAYLOR: Okay. Let me answer my own question
11 first. MPAs offer scientists the opportunity to be thinking
12 about experiments at a much larger scale than they have
13 in the past. When we set up an MPA we are altering the
14 system, the overall coupled system so that scientists can
15 say, "Okay, we've made this change. What happens?" Science
16 can help to establish the efficacy of MPAs. One of the
17 reasons we think about MPAs is because we want to conserve
18 resource populations or we may want to preserve habitat.

19 Let's look at populations. The dogma has been
20 that larvae from marine animals are spawned. They are
21 carried with the ocean currents and they go all over the
22 place and part of the reason for thinking the MPAs might
23 be useful is because if you protect part of a resource,
24 part of a population, you sustain a healthy reproductive
25 output.

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1 Now, that may well be a very effective mechanism
2 in some species and it may not be in other species. We
3 know now that in some species when the gametes respond
4 and the larvae drift off that only certain ones of them
5 are ever going to make it. We know now that it isn't in
6 some cases a random process at all by the basis of science.

7 We used to think there's a million spawn and the chances
8 are .1 percent are going to make it but that's enough to
9 sustain the population.

10 We know from basic science from work on oysters
11 recently, work on sea urchins recently, that the ones that
12 succeed actually are very similar to one another and
13 different from the ones that don't succeed. We can then
14 start thinking about asking better questions about science
15 and answering questions as to whether or not a given protected
16 area might be useful in sustaining a particular type of
17 population. That's just one example. Clearly
18 habitat protection, which is a major issue in resource
19 management and research conservation, is another area where
20 Marine Protected Areas can be tremendously valuable. Does
21 that answer your question?

22 MR. PETERSON: Thank you.

23 CHAIRMAN HIXON: You have to use the mic. This
24 is a federal Advisory Committee.

25 DR. MORRIS: You know, it's funny, Max, because

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1 Mark asked a very similar question to yours at our last
2 Advisory Committee meeting when briefed about the ocean
3 research priorities plan. He said ecosystems are such
4 a big complicated multifaceted widespread system how is
5 it that the ocean research priorities plan has near-term
6 priorities that speak to ecosystems?

7 The attempt was really there to -- the recognition
8 is that ecosystems are so important in the way we need
9 to work with the oceans that we tried to carve out small
10 pieces that could be tractable. One of those small pieces
11 is developing sets of biological and chemical sensors that
12 provide a better observing capability for marine
13 ecosystems.

14 Then the other was to try to use the Marine
15 Protected Areas themselves as that test bed. Studies in
16 the marine areas and in adjoining areas to look at the
17 differences and specific aspects of health of those
18 ecosystems. There is an attempt to try to break it down
19 into smaller pieces within the research priorities plan
20 that can be tractable. You're right it's an overwhelming
21 challenge to figure out how to make the pieces manageable
22 but still add up to the whole.

23 CHAIRMAN HIXON: Thank you.

24 Tony Chatwin.

25 DR. CHATWIN: Thank you, Mark. Thank you both

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1 for the presentation. I found it extremely informative.

2 I commend you also for this attempt to address societal
3 questions I think is really important. My question goes
4 more to sort of it was very clear on how you are building
5 a program seeking funding to get the information you need
6 to address the questions that you have enumerated.

7 What wasn't clear is what is your expectation
8 or the National Science Foundation when it engages in a
9 program like that? What is the exception if generating
10 results that will indeed then inform answers to those
11 questions. You talked a near-term budget need in maybe
12 FY '09. A project like CAMEO, for example, how long is
13 that expected to last before those questions are addressed?

14 I have a second part to that question also.

15 DR. MORRIS: The near-term priorities are meant
16 to make significant progress in two to five years. The
17 thought is that they would be -- there would be a steering
18 committee that would be continually assessing the progress
19 but that at three to five-year time there would be an external
20 review of how much progress has actually been made. In
21 this case I think OMB is going to hold everybody's feet
22 to the fire.

23 The expectation, or rather I should say the
24 hope is that '08 money would be followed by '09 money followed
25 by '010 money that would be distributed across a wider

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1 swath of agencies. But for that to happen they really
2 are going to have to deliver which means that the questions,
3 the specific questions asked, are going to have to be targeted
4 to things that are both important and where significant
5 progress really can be made in a few years.

6 DR. CHATWIN: Thank you. Then just another
7 question that is related to this. You presented a number
8 of different RPs, research priorities. I wondered how
9 we can gain access to information that is being generated
10 for each of those research priorities. What is the
11 determination of those results and how can we gain access
12 to it?

13 DR. TAYLOR: At this point, of course, there
14 are no results. There are only research priorities stated.

15 There are four priority areas articulated in the '08 budget
16 in the hope the money will be flowing. The results will
17 come out in many different forms. Clearly the NSF is what
18 we often hear described as a non-mission agency so one
19 of the big products that we have, of course, is peer-reviewed
20 publications.

21 We are engaged with other agencies that will
22 using information and putting it directly into management
23 schemes. A good example from a few years back in the GLOBEC
24 program. We had spatially -- we had funded research on
25 spacial modeling of organisms on the Georges Bank.

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1 Less than five years later that modeling became
2 instrumental in the establishment of the Marine Protected
3 Areas involved with the scallop fishery off Georges Bank.

4 Things get entrained if they are successful or if they
5 look like good experiments into that sort of a system where
6 the managers start to use them. Does that answer your
7 question?

8 DR. CHATWIN: Yes. Thank you.

9 DR. MORRIS: And, Tony, I think there were two
10 things going on in this talk at different stages. One
11 was a list of many different themes under titles of population
12 and evolution. Those are some of the things that NSF is
13 very interested in in its routine programs. Those are
14 things that are part of an open solicitation to the Biological
15 Oceanography Program for each of our proposal deadlines.

16
17 For the Ocean Research Priorities Plan,
18 near-term priorities with CAMEO being one of them, there
19 will be a request for proposals specifically aimed at that
20 opportunity. The way that people will hear about it will
21 be through town meetings and briefings and the websites
22 of the agencies involved. At NSF the Oceans
23 Sciences Division frequently sends out what we call a
24 candygram, a letter to everybody who is in our database,
25 and that opportunity will be noted in the candygram and

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1 sent to everyone who contributes to NSF. I think the other
2 agencies that are involved will be doing similar things.

3 CHAIRMAN HIXON: Wally Pereya.

4 MR. PEREYA: Yes. Thank you, Mark. I very much
5 appreciate your presentation. Wally Pereya. I'm from
6 the North Pacific. My question -- I have two questions.

7 First one involves the CAMEO program. I notice that at
8 some point in that exercise you are going to get an opportunity
9 to evaluate the efficacy of MPAs in terms of creating a
10 better marine environment. There has to be some endpoint
11 which you will be able to measure.

12 Will you be able to and do you have any plans
13 to reverse the process and given an outcome which you hope
14 to achieve determine whether or not MPAs are the most cost
15 effective way of getting there as opposed to other ways
16 of dealing with man's footprint in the ocean so to speak?

17 DR. MORRIS: That is certainly one of the goals
18 of this exercise. How we actually get from sort of the
19 generic statements to the specific plan that allows this
20 to do that is still being worked out. In fact, it's the
21 steering committee for the program which is sort of half
22 federal agency, half others, who will be charged with
23 figuring out exactly how to do that. Your Mark Hixon is
24 one of those steering committee members.

25 I think helping develop a step-wise plan that

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1 allows us to evaluate the efficacy of MPAs and doing what
2 we think they are doing and as a source of best practices
3 for ecosystem management elsewhere is certainly a goal,
4 a societal goal for CAMEO itself. Your advice should go
5 to Mark and to Phil and to the others who sit on that steering
6 committee.

7 MR. PEREYA: The big follow-up question. This
8 one is more than just a burning intellectual exercise that
9 has some practical significance. In the North Pacific,
10 specifically the Bering Sea, and then down off of the
11 Washington/Oregon/California and that current system there
12 are two major nekto/benthic species.

13 In the Bering Sea we've got the Alaskan pollock.
14 It is by far the most dominant resource there. It's
15 harvested sustainably off the Oregon/
16 Washington/California coast. We've got the Pacific
17 whiting which is a very dominant catiod species.

18 Now, in the North Pacific the way in which it's
19 managed there is a 2 million ton maximum cap on removals
20 in any particular year all the species combined and the
21 totals for the individual species, the acceptable
22 biological catch always totals more than the maximum that
23 is allowed. Certain species like the Alaskan pollock in
24 years when there are very strong year classes tend to be
25 under-harvested relative to the ABC. In fact, two years

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1 ago we under-harvested the pollock resource by 800,000
2 tons.

3 The total catch was 800,000 tons under what
4 the conservative biological estimate was that could be
5 taken on a sustainable basis. Off the Washington/
6 Oregon/California coast with Pacific whiting that has not
7 been the case. In fact, they probably have tended to because
8 of the U.S. Canada impasse to over-harvest in terms of
9 the ABC.

10 Now, the question is will you be able to look
11 at what the negative effects might be from under-harvesting
12 a dominant species in an ecosystem such as something like
13 the Alaskan pollock? I think you have a potential experiment,
14 real-life experiment which has been set up here, by the
15 way, in which these two major stocks have been managed.

16 DR. TAYLOR: I would say I'm pretty much out
17 of my element in thinking about the real management of
18 marine resources, the practical aspects of it and the role
19 of the Federal Government and the Fisheries Advisory
20 Committee and that sort of thing. When you say the negative
21 effects, that is perhaps something. You saw
22 that CAMEO largely in the early stages will be very much
23 geared towards development models that have some robustness
24 that can be used in many different types of systems. That
25 is the ideal. I would say the example you give if the

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1 models are developed, ecosystem models, or Marine Protected
2 Area models, that are robust, are adequate for the task,
3 then they should be able to look at that balance or disbalance
4 of over-harvesting, under-harvesting and see what the
5 responses are in the ecosystem.

6 If those models were actually coupled to some
7 economic models, they would allow that sort of
8 experimentation as well. Clearly what you saw as the first
9 stages of CAMEO will have a large measure of its attention
10 on models and experimenting with models to answer questions
11 about the efficacy of MPAs or other types of ecosystem-based
12 management choices as well.

13 Clearly if Steve Moroski, our counterpart at
14 NOAA, were to be answering the question, he would probably
15 give you a more satisfactory answer because he deals with
16 these issues of the intersection of science and management
17 all the time. I don't.

18 MR. PEREYA: This will probably be a good
19 opportunity for interplay between your organization and
20 NOAA on this because there are two very significant modeling
21 exercises, one in the Gulf of Alaska on the pollock resource
22 there by the COFI people. The other is the very significant
23 modeling that is done on the Alaskan pollock resource itself.

24 It's a multi-variate model that they've developed that
25 is quite interesting and I don't know how that might play

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DR. TAYLOR: You saw one of the steering committee members was Ann Hollowood who is probably intimately involved with that in the North Pacific from NOAA National Marine Fishery Service.

CHAIRMAN HIXON: There is also a lot of modeling going on with the role of Pacific hake or whiting in the Northern California current system as well. A lot of work in NOAA on this particular area.

Okay. We need to move along. Mike Cruickshank.

DR. CRUICKSHANK: NEPA was passed in '69. Every industry or activity in the offshore, in federal waters anyway, has been subject to an environmental impact statement. There are hundreds of them, thousands maybe, for all these oil wells and everything else. These are basically done by NOAA I guess and the Federal Government.

The oil companies have also done their own environmental analysis and such. Is there any mechanism to utilize and cover the whole United States? Not only the oil and gas industries but with the mineral industries the Government has done other studies through NMFS on the potential of minerals offshore.

These exist, as far as I know, in boxes somewhere in some basement. The amount of money spent on this has

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1 been hundreds and hundreds of million dollars. Is there
2 any way to utilize these things in developing this
3 interaction between the different areas and just the general
4 work that NSF has been doing as well as NOAA and the NMFS?

5 CHAIRMAN HIXON: So your question is can we make
6 use of all these environmental impact statements from the
7 past and data that are archived therein?

8 DR. CRUICKSHANK: Right. As an aside, from the
9 MPA's point of view, I mean, we have had kind of hands
10 off from the Interior as far as the audit is concerned
11 and the activities. It covers large areas. It surely
12 must be available to be utilized.

13 DR. MORRIS: You know, it's an interesting
14 question you pose. Where I thought you were headed, which
15 is where we spend a fair bit of time these days, which
16 is that under the NEPA rules basic research has a categorical
17 exemption from the requirement for environmental impact
18 statements. Where that's changing is the use of acoustics
19 in the marine environment particularly relating to impact
20 on marine mammals.

21 We spend a lot of time trying not to have to
22 file an environmental impact statement except where there
23 is a specific need. The idea that there is a lot of
24 information in there that can be harvested sounds like
25 a great project and something that I think the steering

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1 committee could take on board as maybe an intern's project
2 or something that begins to create an inventory of
3 information that exist in Marine Protected Areas as part
4 of building up to the modeling efforts.

5 CHAIRMAN HIXON: Thanks, Julie.

6 One last question. Dave Benton.

7 MR. BENTON: Thank you, Mark. Dave Benton.
8 I'm also from the North Pacific region. I also serve on
9 the North Pacific Research Board and we are engaged right
10 now in developing a project jointly with NSF on the Bering
11 Sea. It's called the Bering Sea Integrated Ecosystem
12 Research Plan, I believe. There's about \$50 million
13 combined.

14 I'm just wondering how does this CAMEO effort,
15 if it does, fit in with that effort because there's a fairly
16 significant both in the water science program plus modeling
17 that is supposed to take place with the reserve program.

18 I'm just curious how those two fit together or are they
19 very separate?

20 DR. TAYLOR: I would say that they are not totally
21 separate but clearly the time scales of their development
22 are off at present. BEST is an activity that has been
23 anticipated for some years. CAMEO, as you can see, is
24 very much developing, although in the write-up I have
25 specifically knowing NSF's activities mentioned the Bering

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1 Sea has one of those areas of attention that should be
2 thought about.

3 CAMEO clearly has said that we will be looking
4 at representative systems of all sorts from coral reefs
5 to coastal regions. We haven't really chosen the deep
6 sea. The Bering Sea has been specifically mentioned but
7 how they intersect directly I can't say at this time, but
8 in terms of the information that is derived from one that
9 feeds the other into the future, that's the most general
10 possibility.

11 CHAIRMAN HIXON: Thank you, Julie and Phil.
12 We are going to take a 15-minute break. We are reconvening
13 at 11:00 sharp. Thank you.

14 (Whereupon, at 10:45 a.m. off the record until
15 11:05 a.m.)

16 CHAIRMAN HIXON: Okay. We have got to get
17 started. We are going to start heading into our actual
18 work for this session. We are going to begin with Joe
19 Uravitch and Jonathan Kelsey speaking to us on FAC/Public
20 Comments on Draft Framework and Next Steps which is what
21 we are going to start taking soon.

22 MR. URAVITCH: Okay. Thank you, Mark. It's
23 good to see all of you again on our continuing journey
24 towards the development of a national system of MPAs.
25 I just wanted to acknowledge really the yeoman's work that

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Jonathan Kelsey has done in putting the framework together and starting to work with the comments and all the efforts that led up to where we are, as well as the work of the Advisory Committee both with their first set of comments which led to the draft document as well as the comments that came of the October meeting to continue to move us forward.

As a result of that we decided between that and the public comments that we received that it was really critical for you all to weigh-in now during this Advisory Committee meeting on the framework itself in terms of priorities and various issues so that there is an opportunity for you to help shape the next version of this document.

I'm going to leave it at that since we are running way behind schedule and then pass this on to Jonathan. We appreciate you taking the time to help us move this thing forward. Thank you.

MR. KELSEY: I am going to take advantage of all these technologic spoils of the National Science Foundation while we have them. Charlie, the security guard confirmed that he will be checking bags of NOAA staff as we leave each day. Especially those bound for Santa Cruz.

For the next few minutes, and I'll try to move through this as quickly as possible. I want to provide some background on where we've come from over the past

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1 couple of years. Talk about the public comments that we
2 heard, how that translates into some of the bigger picture
3 issues and considerations.

4 We want to go back to the table and think about
5 some more as we work on revising the document. And how
6 that translates directly into the work that you all are
7 going to be doing over the next couple of days to provide
8 some additional input.

9 Charlie always reminds us it's good to recall
10 where you've come from and where you're going as you start
11 these talks. You will recall in 2005 the MPA Center embarked
12 on roughly a two-year national scoping process to talk
13 to agencies, stakeholders, public, all different kinds
14 of organizations about their views on what a national system
15 should do, what it should accomplish, and how it should
16 function.

17 The Advisory Committee's report in 2005 was
18 a key element of all that input we received during that
19 two year scoping period. At the end of that scoping period
20 we produced the draft framework document, published it,
21 and released it in September of 2006 for roughly a five-month
22 public comment period which ended the end of February 2007.

23
24 The FAC comments you all ventured into uncharted
25 territory using the web and teleconference forum to provide

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1 some comments on the draft document which were very useful
2 and instrumental in us thinking of this charge that we
3 are going to be talking about today and working on at this
4 meeting.

5 That brings us to here. We are in April in
6 Arlington and looking at some additional products and input
7 that will help us this year to revised the draft framework,
8 develop a final one, and publish formal response to comments
9 based on all of those comments we receive.

10 We are hoping that we'll publish the final
11 document by the end of 2007. Then your recommendations
12 that you will resume working on and deliver in October
13 of 2007 and those beyond will form the implementation of
14 that final framework as we move into 2008 and thereafter.

15 So, who did we get comments from during that
16 public comment period? Then I'll talk a little bit about
17 what the nature of those comments were. Over the five
18 months we received roughly 102 individual comments, about
19 11,000 e-mails. Those 102 individual comments were unique
20 comments. The disparity between those two numbers is that
21 there was one petition site that was set up where we received
22 the same comment about 10,900 times from individuals all
23 around the country, all around the world.

24 DR. AGARDY: Did you get it?

25 MR. KELSEY: I got it and it's still coming.

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1 I can't get them to stop, even though the process is closed.

2 You can see here we got comments from state
3 and tribal governments including Coastal States
4 Organization, Northwest Indian Fishery Commission, and
5 a bunch of individual states. About two dozen conversation
6 and industry organizations submitted comments and a number
7 of private individuals around the country.

8 We even tapped into some heretofore unheard
9 from MPA stakeholder groups like these folks
10 -- I'm not sure if you can read this -- at the State
11 Correctional Facility at Smithfield, Pennsylvania. We
12 also received some from other in Indiana and other folks.

13 Our outreach got there apparently and beyond where we
14 had initially intended.

15 On to the others that we heard from. Commercial
16 and Recreational Fishers and Industry. The Advisory
17 Committee comments, the ones that you all submitted, and
18 some from individual members of the committee. Five fishery
19 councils and one commission submitted comments. Some
20 comments from academia and some others. You can see here
21 the kind of smattering of the range of comments that we
22 received from these various folks.

23 What did we hear in these comments? Comments
24 were received on nearly aspect of the framework starting
25 at the level of a general comment on the national system

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1 as a whole, general comment on the framework as a whole,
2 and then down to almost every aspect of the framework itself,
3 goals, definitions, nomination processes, state and tribal
4 roles, etc.

5 Some commentators noted simply that MPAs were
6 unwanted in their backyards. Other said, "We would like
7 to close off large portions of the U.S. coast to extractive
8 activity." We got a real wide range of comments. At any
9 of those levels, whether the national system level or one
10 of the components of the framework, we got a range of
11 perspectives; that it was not needed, it was good as proposed,
12 or that there was some amount of improvement that was needed,
13 a little or a lot.

14 It's very complex to sort through and we've
15 done some preliminary analysis on there and tried to pull
16 out some of the big issues. I think the Advisory Committee
17 nailed a lot of the big issues in the comments that you
18 all submitted. Those big picture issues are what are driving
19 some of our new approaches and solutions we want to explore
20 for revising the framework and what we want to hear from
21 you all during these three days.

22 Some of those big picture issues. From the
23 comments we received we have also been doing some research
24 on how other national systems are effective. Both NOAA
25 and DOI have been looking into what makes up an effective

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1 national system. That's informed some of these big picture
2 issues as well.

3 The first is the scope of the system. As
4 currently proposed the framework in the national system
5 is really attempting to achieve these all-encompassing
6 goals and objectives. Not only are we attempting to achieve
7 these all encompassing goals and objectives but we are
8 doing it all at once. Little bit overwhelming. We have
9 little or no prioritization about those objectives. That
10 was one of the big issues.

11 That scope of the system issue runs into the
12 size of the system issue. Doing everything at once would
13 result in bringing in a large number of sites at once into
14 the system and it could render it difficult to manage the
15 system to be effective and to deliver some of the kinds
16 of benefits and look for the gaps as are called for in
17 the document itself.

18 You heard this large number of sites and the
19 size of the system is an issue. We also heard there is
20 a lot of benefit from the various types of MPAs that are
21 out there right now whether it estrian research reserve
22 or a no take area that is around a spawning aggregation.

23 That inclusiveness of the system is an important theme
24 and that comprehensive principle is important to maintain.

25 That was the second big picture issue.

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1 The third was that we needed to have a stronger
2 emphasis on identifying and filling the gaps. This somewhat
3 runs from the size of the system that bringing so many
4 sites in we would be focused all on existing sites. We
5 wouldn't be looking at where are those gaps and meeting
6 those goals and objectives that we laid out. We need to
7 have greater emphasis from the comments that we're hearing
8 on filling gaps and identifying these new areas as they're
9 needed.

10 The final big picture issue is about having
11 a better process, a clarified process for identifying and
12 providing priority support to MPAs that become a part of
13 the system to both improve the effectiveness of those MPAs
14 but also improve the effectiveness of the system as a whole.

15 These big picture issues along with what we've
16 been understanding from these other systems that are out
17 there and working well resulted in identifying the following
18 potential solution or mechanisms that we would like to
19 explore for incorporating into the framework and ultimately
20 being implemented to build the national system over time.

21 These directly relate to the charge that you all have
22 for this meeting and I'll get more specific into that charge
23 in the next slide.

24 These potential set of solutions could work
25 in concert together to address those big picture issues.

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1 I have to say work in concert together and emphasis that
2 because none of them are a silver bullet. The situation
3 is just too complex out there. There are a lot of sites,
4 a lot of existing programs, and there are gaps that have
5 to be filled. There are a lot of assistance needs out
6 there as well. The idea is that these work in concert
7 with one another to address those big picture issues.
8 It's not one or the other.

9 The first issue or mechanism we would like to
10 explore is prioritizing the national systems conservation
11 objectives and working iteratively over time meaning that
12 we would focus on the highest priorities first looking
13 at both existing sites and gaps as they relate to those
14 highest priority objectives. This would have the system
15 starting small and growing over time as capacity allowed.

16
17 It's not an exclusionary approach that would
18 limit the size of the system but it would allow it to grow
19 over time and be able to have the capacity to respond to
20 bringing new sites in and still being able to dedicate
21 resources and look at where the gaps are relative to these
22 objectives. Of course, we want to be heard adaptively,
23 reassess and prioritize these objectives over time. That
24 is an important thing.

25 The second solution that we want to explore

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1 would be management criteria, things like a management
2 plan or a monitoring program or an education program that
3 could serve as either -- and that's an important either
4 -- a filter for sites entering the system in that they
5 must meet those management criteria to get into the system,
6 or a way to assess assistance needed by MPAs once in the
7 system.

8 Sites are allowed in but then they are assessed
9 against these criteria and the areas where they need to
10 improve are identified and support is provided to try to
11 improve those sites. They could be either one or the other
12 or a combination of both these management criteria could
13 serve.

14 We think this might be a way to better outline
15 a process for setting priorities to assist MPAs in the
16 system and whether as entry or assessment criteria would
17 result in improving the management of MPAs in the system
18 whether before they get in or after and it would result
19 in improving the management system as a whole.

20 The third potential solution we want to explore
21 would be a set of user friendly categories within the system
22 that would be based on general conservation purpose of
23 the areas and level of protection of the areas.

24 This would help us to group like sites together
25 within the system and better communicate and understand

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1 what the system is doing, what the system is accomplishing,
2 and look at where there are gaps. It would also allow
3 for a diversity of sites to be in the system but be able
4 to tell several stories about what those sites are
5 accomplishing by grouping them.

6 Maybe I could just finish one point quickly.

7 A number of systems that we've looked into use these kinds
8 of categories whether it's the Marine Life Protection Act,
9 whether it's the Great Barrier Initiative, whether it's
10 the Great Barrier Reef Marine Park, whether it's the National
11 Trial System. There is some kind of categorization within
12 the system communicating what the sites are doing.

13 CHAIRMAN HIXON: I'm sorry to interrupt but I
14 just wanted to make sure that everybody knew if you're
15 in Ad Hoc Subcommittee C, any of those, that's No. 1 there.

16 The second one would be Ad Hoc Subcommittee B. Ad Hoc
17 Subcommittee A is the bottom one on that list.

18 MR. KELSEY: Are there any other questions right
19 now? So this sort of breaks it down. I know that
20 subcommittees are changing a little bit, maybe are merging,
21 so I'm not exactly sure what the latest correlation is
22 between these products and how you all are going to be
23 organized. Those solutions you are going to explore
24 directly relate to the input that we're asking for.

25 We are asking for a prioritized list of national

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1 system conservation objectives for each of the conservation
2 roles and you are broken down into Natural Heritage group,
3 Cultural Heritage group, and a Sustainable Production group.

4 What would result, for example, for the sustainable
5 production goal, and this is purely an example, would be
6 some list of prioritized discreet achievable objectives
7 for the goal of enhancing sustainable production using
8 MPAs. They could look something like the highest

9 priority would be conserve spawning aggregations of
10 commercial important species. Down on the list might be
11 something like conserve use of unique habitats relative
12 to or important to commercial species. What we are asking
13 for is some list, five or six of these kinds of objectives
14 in prioritized order for each of these three goals.

15 The second of the products that we are asking
16 for would be a list of those management criteria that could
17 be used again either as entry criteria for the system or
18 evaluative or assessment criteria for sites once they get
19 into the system and looking at what kind of assistance
20 those sites need. Those could be things, like I said earlier,
21 management plan monitoring program, a mechanism for
22 stakeholder input, etc.

23 The last recommendation or piece of input we
24 are looking for and asking for is a set of MPA criterias
25 that would be based on MPA purpose and level of protection

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1 for use of grouping sites within the national system.
2 These are just some examples or things we've made up.
3 I think one or two of them might have something to do with
4 the MLPA initiative, but they could be things like marine
5 heritage area, marine heritage reserve, breaking down the
6 system to be able to tell the story about what the sites
7 are accomplishing and grouping the like sites together.

8 So let me see where we are here. The next three
9 slides are going to attempt to illustrate in a simple way
10 something that is kind of complex which is how would these
11 pieces of information that you're going to be working on
12 be incorporated into the framework and implemented to build
13 the system over time.

14 I want to forewarn you that a little bit of
15 imagination is needed here. I was watching this PBS
16 documentary last night on the Hippie generation. There
17 was something like "free your mind." Relax a little bit
18 but not too much because we've got to come back and do
19 work very soon here. Just bear with me for a few minutes.

20 Keep the charge in mind and we'll try and walk through
21 this.

22 The first of these slides just tries to simply
23 illustrate what we're talking about as far as this
24 prioritized list of objectives that would be implemented
25 over time iteratively. Those objectives could be grouped

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1 together in phases or a phase could just have one objective.

2 For each track, or goal, Natural Heritage, Cultural
3 Heritage, and Sustainable Production, we would break those
4 objectives down and implement the highest priority
5 objectives first followed by subsequent priorities and
6 later phases.

7 This isn't necessarily a statement that those
8 objectives that would be implemented in phase 3 are less
9 critical to an overall approach to marine management, but
10 it might mean that the information to make these kinds
11 of decisions about that objective is very difficult and
12 requires a lot of research. We could make some incremental
13 gains up front if we focused on some of these higher priorities
14 where there's more robust information available.

15 This is how they would be implemented over time,
16 broken down into phases and worked on iteratively. For
17 each of these phases there would be three tasks associated
18 with working on them. The first task would be identifying
19 those existing MPAs that contribute to that objective.

20
21 For example, say we are up here talking about
22 spawning aggregations, identifying all of those areas that
23 currently protect spawning aggregations, nominating them,
24 bringing them into the national system, and looking at
25 the kinds of assistance that's needed by those sites, if

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1 any, that the system can provide working together.

2 Then we would also be looking in a parallel
3 track at identifying the gaps in that objective as well.

4 We would not only be bringing in those existing sites
5 but also looking at where the gaps are for these phase
6 objectives over time. I don't want to beat a dead horse.

7
8 Do folks get what I'm saying here? Are there
9 any questions about this approach? Okay. The next slides
10 are a little more complicated and try to depict what the
11 system might look like over time as it's built up. Imagine
12 that this is the current scope of all U.S. existing MPAs
13 that are out there.

14 In this example the different colors represent
15 different conservation objectives. Blue is diversity hot
16 spots. Green are shipwrecks and other submerged manmade
17 artifacts. Red are rockfish or particular commercial
18 species that's being protected.

19 How do we get from all of these sites over to
20 this system of MPAs using the input that you would be
21 providing? The first thing we talked about would be these
22 conservation objectives. For any particular phase you
23 would have a conservation objective or two. Suppose that
24 this one is the blue conservation objective for biodiversity
25 hotspots.

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1 We would look at all of those existing sites
2 that are out there that meet that objective that contribute
3 to it. We have gathered all of these blue sites so we
4 would look at those existing sites relative to that
5 conservation objective and select the ones for nomination
6 that contribute to that objective.

7 The next thing we talked about were these
8 management criteria. Imagine that the different patterns
9 inside the shape, whether it's solid or stripe, represent
10 the varying levels of meeting a set of management criteria
11 where the bland-colored shapes don't meet criteria but
12 the more complex in the management approach have some pattern
13 inside them.

14 And our entry criteria are going to select out
15 some of those sites and in this case they are going to
16 select out the ones that don't meet all the criteria that
17 we have specified for the system. Those would go off to
18 the side and we would be left with these other sites that
19 are down here all contributing to this objective and all
20 meeting these criteria that are there.

21 Imagine that the different shapes represent
22 some level of protect that those sites offer to the resources
23 that are inside them. The categories would then be used
24 to bin those various sites so that we can tell a story
25 about what we are accomplishing relative to that objective,

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1 relative to the different sites that would be part of the
2 system. This is really how we would envision using these
3 kinds of mechanisms that we are asking for input on.

4 I just want to recall that this is with the
5 entry criteria scenario. Remember we talked about these
6 could be used as entry criteria or assessment criteria
7 for sites that are in the system. Are there any questions
8 on this before I move on?

9 DR. BROMLEY: I think it's marvelous that you
10 talk to us like 6th graders which is probably the level
11 which we can all grasp it.

12 MR. KELSEY: I'm not being condescending. We
13 really had to work together to be able to understand this
14 ourselves and be able --

15 DR. BROMLEY: That was a compliment.

16 MR. KELSEY: This is with the entry criteria.
17 You can imagine what this would look like if we didn't
18 have entry criteria but we used those criteria as a way
19 to assess sites. We would look at it the same way as the
20 conservation objectives, focus on the blue sites. Those
21 would all come out. Instead of calling out any sites that
22 didn't meet a set of criteria, we would not do so and all
23 of those would go in following the categories that are
24 built up.

25 So even though sites that may not in the perfect

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1 world meet all the management criteria that we want the
2 system to have in the end would be allowed in the system.

3 Then we would have these assessment criteria over here
4 that could be used to evaluate or assess those MPAs that
5 were in the system and could be used to provide assistance
6 to improve them and improve the sites in the system as
7 a whole as it grows and develops over time.

8 It's a slightly different approach.
9 Instead of screening out sites based on not meeting criteria,
10 it would be bringing them in and using the system to boost
11 their effectiveness or their improvement of the site by
12 providing support to them and working within the context
13 of the system.

14 DR. CRUICKSHANK: I'm a fourth grader. Can you
15 give me an example of what the shapes mean?

16 MR. KELSEY: For example, you could say these
17 down here are no taking reserves. Then these here could
18 be some kind of cultural heritage preserve. These could
19 be multiple use areas. These could be recreational use
20 areas. It will depend on the categories that are developed
21 in the committee as to what these are.

22 There are different models for what those
23 categories can be. NLPA uses one type of model for them.

24 IUCN has another set of categories. I think the task
25 here is to look at what would really benefit and be most

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1 useful for the system recognizing we have all of these
2 different sites out there to be able to tell the story
3 simply.

4 CHAIRMAN HIXON: Max and then Dave.

5 MR. PETERSON: This has been very helpful,
6 Jonathan. I see a little bit of a chicken and the egg
7 question, though, if most of these are now managed by the
8 states. If I'm sitting out there State X, I'm not
9 necessarily going to be rushing to enter an area into this
10 national system unless I have some idea of what are the
11 benefits and what are the dangers of being part of the
12 system.

13 The minute you take federal money, for example,
14 you are subject to a whole host of new rules and some that
15 you may not like. I see in your write-up that you are
16 sort of assuming you are going to have to filter them out.

17 You are going to have a herd of them there and the system
18 is going to be too big. I think the reverse may be true.

19 You may not have very many nominated at all unless we
20 can deal with the question of what do you offer? What
21 does becoming part of the system really mean?

22 MR. KELSEY: I think the approach here is designed
23 to be able to provide some more certainty that we can provide
24 benefits to these sites by starting small and growing over
25 time.

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1 MR. PETERSON: But you might have zero unless
2 you are able to --

3 MR. KELSEY: By starting small so that we can
4 grow over time and some of that is the difference a little
5 bit between this model and the next model which is this
6 would require a site to do a lot of improvement maybe before
7 they were to get in the system. If they use an assessment
8 criteria, those could be the benefits that could be offered
9 from the system. It could help develop management plans
10 or monitoring programs or whatever it may be.

11 Just to reiterate again, the idea here is that
12 if we have some mechanisms that allow us to stay within
13 the capacity of the system to operate or definitively say
14 that there will be some benefits we can provide for the
15 system.

16 MR. PETERSON: Is somebody working on -- if this
17 reaches a point where somebody is going to launch this
18 thing, is somebody working on -- maybe Joe is -- what are
19 the benefits? Why would I want to be part of this?

20

21 MR. KELSEY: We are asking the previous
22 subcommittee, who is on hiatus now, to look at benefits.
23 You can talk about that, Tony, if you want.

24 CHAIRMAN HIXON: Our standing subcommittees
25 have the charge of looking at incentives so we are just

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1 setting that aside for this meeting to get that input for
2 the final framework.

3 I think Steve Murray was next. Oh, I'm sorry.

4 MR. URAVITCH: In some ways that's a parallel
5 track and we are certainly continuing to look at that but
6 we are trying to separate out that which is a whole other
7 next of thorny issues we have to deal with from this.
8 We are trying to clarify this set of processes but running
9 along in parallel with this is every effort we can make
10 to get the resources we need to put some value on being
11 a participant.

12 MR. KELSEY: And there is interest in NOAA and
13 DOI in thinking ahead to that initiation of the system
14 and the types of support or benefits that could be offered
15 from both inside the agencies and externally. That thinking
16 is starting.

17 CHAIRMAN HIXON: Tony, you were right after Max.

18 DR. CHATWIN: Thank you. You covered what I
19 was going to say. I would just add that also starting
20 small the initial entrance to the system might not be as
21 hungry for incentives. They might see them already so
22 they would be willing participants in the system and that
23 would help because you have limited resources and limited
24 ability to give incentives. Willing participation might
25 be key.

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1 CHAIRMAN HIXON: Incentives are definitely use
2 issues.

3 Dr. Murray.

4 DR. MURRAY: First, I think that cartoon you
5 have up there now I think is consistent with what the
6 recommendations of this group have been which is to take
7 your handle on the left which has everything in it and
8 reduce it down using some criteria to a smaller set. I
9 think we've been saying that for some time and I think
10 that was something that was missing in the draft framework
11 guidelines before the set of comments came in.

12 I want to raise another issue, though, and that
13 is that we are struggling with trying to find categories
14 or types of MPAs. I think that's the challenge to come
15 up with some list for one of the subcommittees here. Your
16 cartoon has each of those MPAs identified as being one
17 type or another and ultimately going through some filtering
18 system.

19 In fact, in practice most MPAs are going to
20 have multiple goals. I think that when we wrote the initial
21 report as a group that we attempted to identify what would
22 be goals that would be there for MPAs. We refer to them
23 as natural heritage goals. We refer to them as Cultural
24 Heritage and Sustainable Production.

25 When the draft framework guidelines came out,

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1 those particularly goals got translated into themes and
2 I think we had some feedback from the committee about that.

3 Now I think where we are is we are trying to come back
4 and identify several categories of MPAs which may be
5 difficult given the fact that we have MPAs that may be
6 designed to achieve multiple goals.

7 I come back to the system in California where
8 I've had a good bit of experience. In California all of
9 the MPAs were put into one of three categories. They were
10 put into either a state marine reserve, a state marine
11 park, or a state marine conservation area. The criterion
12 used to sort an MPA into one of those categories was simply
13 whether or not there was recreational and/or commercial
14 fishing taking place.

15 The result of that was that a state marine park
16 would allow no commercial fishing but some recreational
17 fishing could be allowed. In California there are hardly
18 any MPAs that fall into that category because in almost
19 every place there is along the California coast some form
20 of commercial fishing and there are very, very few places
21 where it was decided that only recreational fishing would
22 be allowed.

23 The number of MPAs that fall into that category
24 are very, very few. On the other hand, the number of MPAs
25 that fell into the state marine conservation area category,

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1 a category that would be dictated if there was any commercial
2 fishing of any sort allowed from kelp harvesting to squid
3 to whatever. That category was huge.

4 In fact, that category had areas that were very
5 well protected in it, allowed nothing except for maybe
6 salmon trawling in the surface waters but it would be a
7 marine conservation area because of that, two areas that
8 were very well protected -- I'm sorry, very little protected
9 where there were a whole bunch of different kinds of
10 commercial activities.

11 In evaluating those MPAs and what they would
12 do or not do, the science group split that category up
13 into levels of protection from high to mid to low and divided
14 the marine conservation areas into other categories.

15 So if we are going to look at a task here where
16 we're going to try to take an MPA and label it and have
17 the diversity of labels from five to six when most of those
18 MPAs are going to have more than one goal we are going
19 to have a little bit of a problem, I think. I think this
20 comes back to the issue of having goals identified which
21 might be considered to be rows, and then having MPA types
22 which might be considered columns and then having Xs in
23 those with regard to each is supposed to achieve.

24 Now, there may well be a primary goal for each
25 MPA but if there's a primary goal, then what about the

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1 other goals and how do they get evaluated? How does a
2 primary goal get evaluated? How does overall MPA success
3 occur?

4 I just want to raise that issue because I think
5 it's going to be one that we struggled with you struggle
6 with as you have gone through taking our report, translating
7 it in the draft framework guidelines, and getting where
8 you are now and it's going to be one that our subcommittee
9 is going to struggle with when we get our assignment.

10 CHAIRMAN HIXON: You just laid out the work plan
11 for Ad Hoc Subcommittee A very nicely.

12 VICE CHAIR ZALES: One quick question. Your
13 alls definitions of recreational and commercial fishing,
14 does that also include recreational and commercial diving
15 or is that separate?

16 DR. MURRAY: Any kind of commercial take that
17 is regulated by the Department of Fish and Game would fall
18 under the auspices of commercial and, therefore, would
19 be then categorizable if that was an MPA into a state marine
20 conservation area.

21 If you look at the California plan you are going
22 to see that there are lots of state marine conservation
23 areas, hardly any parks, and then several marine reserves
24 which would be the complete no take designation.

25 CHAIRMAN HIXON: Okay. We have Bob Bendick next

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1 and then Tony.

2 MR. BENDICK: This is, I think, maybe implied
3 by what Jonathan has said but not stated. I have read
4 some of the other comments in addition to ours like those
5 of the Coastal States Organization. A good deal of the
6 criticism, if you call it that, constructive criticism
7 of the draft that was issued with the framework was that
8 it was more of an inventory than a mechanism for driving
9 the positive creation of a representative system of national
10 Marine Protected Areas.

11 I shouldn't say national. Of Marine Protected
12 Areas. I think what we are trying to do here, that split
13 pervades what we are trying to do here. The committee's
14 original conception in its report was something that
15 encouraged the creation of a representative system
16 recognizing the different purposes of that system. That
17 wasn't exactly the result in the framework.

18 I think what we are trying to do here is to
19 figure out how, in a way, get back to our original approach
20 which is to create a mechanism for encourages a
21 representative system recognizing there are a number of
22 goals and purposes of that system and not have simply an
23 inventory. I think that is suggested by the committees
24 and the approach that we're taking. Is that a correct
25 assessment of what we are trying to do here?

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1 MR. KELSEY: That is what we are trying to
2 accomplish and I think what you're seeing here is trying
3 to break it down in a way that is doable, is achievable,
4 and can be accomplished over time in some steps that, again,
5 are achievable within the capacity of the system and the
6 partners that would be part of the system to make those
7 -- to accomplish those goals and objectives that are set
8 out.

9 MR. BENDICK: But there's a fork in the road
10 here. Either we're doing an inventory which has one set
11 of ways of doing it and results, or we are trying to create
12 a system that encourages the creation of the national system
13 and they are not the same thing. We may need to make a
14 conscious decision of which path we're on.

15 MR. KELSEY: Our goal is to build a system, not
16 to create an inventory.

17 MR. BENDICK: Okay.

18 MR. KELSEY: That's what is called for in the
19 executive order and that is the charge that we are setting
20 out to try to meet.

21 CHAIRMAN HIXON: Thanks, Bob.

22 Tundi.

23 DR. AGARDY: Tundi Agardy. Following on what
24 Steven said, I think the category of the discussion could
25 be complicated and possibly distracting to the ultimate

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1 goal of trying to develop a representative system only
2 because it's complicated and because the world community
3 right now is struggling with this very question.

4 You mentioned IUCN, Jonathan, and IUCN is having
5 a very high-scale category submit to discuss particularly
6 this problem of what do you do with MPAs that have elements
7 of all different kinds of categories in them and how do
8 you overcome that? How do you overcome that in a way that
9 is user friendly for the general public so that they can
10 understand the scope of protected areas out there?

11 Of course, the category submit is going to look
12 at protected areas across the board, terrestrial land marine.

13 That submit is going to be happening in the fall and it
14 might behoove the committee to actually track that
15 discussion and the results of that submit and not get too
16 bogged down in trying to develop a specific category system
17 for the U.S.

18 However, there is a question of categories so
19 that you can articulate what is in the system. There is
20 also the question of trying to get a scope of is the national
21 system actually being representative. There is
22 representation across habitat plates or ecosystems. There
23 is representation across kinds of protected areas relating
24 to their primary goal or whatever.

25 There is also, I think, representation according

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1 to size and kind of management type in the sense of what
2 the lay is always talking about, not letting the small
3 scale community-based protected areas fall off the radar
4 screen just because we are trying to identify those MPAs
5 that really stand out at the national level.

6 I think we have to think not only about categories
7 that make sense in terms of the story you're trying to
8 tell but also categories that make sense in terms of the
9 U.S. being able to evaluate whether a system is truly
10 representative across all those kinds of representations.

11 CHAIRMAN HIXON: What you brought up, Tundi,
12 as I see it, and I understand what the MPA Center wants,
13 is really what all three, or whatever number of ad hoc
14 subcommittees there are, are going to address all those
15 things. I see the categories themselves as I understand
16 it, and correct me if I'm wrong Jonathan, as being very
17 broad stroke general categories, a half a dozen or so.

18
19 There's a couple strawmen that are included
20 in the packet. In and of their names don't tell the full
21 story at all but allow the public or anyone who is not
22 deeply familiar with the system of, "Oh, this is that kind
23 of MPA." Certainly any given site could have more than
24 one of those labels.

25 It's in the management criteria and the selection

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1 criteria where the rubber really hits the road and we get
2 into all the subtleties of everything from community-based
3 small MPAs to large-scale federal MPAs. That is the
4 dichotomy I see. I personally don't have a big trouble
5 with narrowing down the number of categories to six or
6 something just for broad descriptive purposes.

7 Dave Benton.

8 MR. BENTON: Thanks, Mark. Just to follow up
9 on that and thinking about the two models that Jonathan
10 put up there, I think you hit the nail on the head because
11 irrespective of the categories I could care less if there
12 are ten or four, you know, really when you get right down
13 to it. What it comes down to is the throttle is what we're
14 calling management criteria, i.e., are you in or are you
15 out.

16 The difference that I'm picking up between the
17 two models, and I would be interested in some feedback
18 on this, is this model that's up on the screen right at
19 the moment has the criteria, the management criteria of
20 being maybe a fairly narrow throttle and a more difficult
21 road for entry or placement in the national system.

22 That is an up-front decision that would be made
23 primarily, I would assume, by the MPA Center. Versus the
24 other model on the other screen which is entry or placement
25 in the national system is perhaps a lower threshold but

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1 the result would be on that other end where it says MPA
2 assessment criteria. I'm assuming the process there is
3 assessment and sort of building an improvement over time.
4

5 And the sort of the tension that I see between
6 those two is, one, the MPA Center making the decisions
7 more about who gets to be in or who gets to be out as opposed
8 to some of the things that we were talking about of having
9 jurisdictions that have MPAs nominate them because they
10 want to be in there versus setting it up so they could
11 get in and then you work with them over time to shape that
12 national system. There is a tension there and
13 we need to come up with, I think, some kind of balance
14 because I would hate to see us come up with something using
15 the narrow throttle that prevented folks from getting
16 involved in a national system or having sites placed in
17 that national system simply because the MPA Center the
18 criteria just didn't appeal to them when they may want
19 to be in there simply because recognition, first off, is
20 important and, second off, the opportunity over time of
21 doing certain things, whatever it is.

22 Improve scientific research, better enforcement
23 capability, whatever it might turn out to be, that that
24 opportunity for future improvements is lost. See where
25 I'm going? There's a real tension between those two

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1 opportunities that we need to thread the needle. I am
2 very sympathetic of where the center is and how that goes.

3

4 MR. KELSEY: Yeah. I mean, this is that tension
5 between being overly inclusive so you have this big massive
6 system that you try to fix through time starting out small
7 and working up. That is going to continue.

8 MR. BENTON: One follow-up if I might just very
9 quickly. The other thing that we talked about, and it's
10 maybe getting lost here, is regionalization, looking at
11 this in some ways on a regional basis which in some ways
12 I think helps, or could potentially help, with the perception
13 of the system is too big, it's unwieldy.

14 That is true if you look at it maybe from 30,000
15 feet but when you get down to about 5,000 feet on a regional
16 basis, maybe that's less of a concern. That is something
17 else I think we need to be thinking about because there
18 may only be four or five MPA. Depending on how those criteria
19 go maybe there's none or maybe they are all in there versus
20 somewhere off of the Atlantic coast which could have hundreds
21 and that might be a different issue.

22 CHAIRMAN HIXON: Tony Chatwin.

23 DR. CHATWIN: Thank you, Mark, and thank you,
24 Jonathan. It's more for clarification because as we discuss
25 this issue around the table it's becoming less clear to

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1 me in that management criteria I understood where one of
2 the consideration for entering into the system, not the
3 consideration for entering into the system. Is that
4 correct? They are being used interchangeably and we need
5 to be very clear about that.

6 MR. KELSEY: Maybe I could just clarify. To
7 be in this pot here is saying it meets those initial set
8 of criteria like the definition of marine, the definition
9 of area reserved, those existing criteria that are already
10 in the system and that are already in the framework and
11 defined that you all provided input on lasting.

12 We have some comments on lasting we have to
13 grab hold of as well. Those would be the first set of
14 criteria. Do they just meet those five criteria about
15 the definition of MPA that we're establishing. The second
16 set of criteria are really here so there's two sets of
17 criteria.

18 MR. URAVITCH: You actually have conservation
19 objectives which is the priorities. What is the highest
20 priority conservation objective.

21 DR. CHATWIN: So this box on the left is -- so
22 there's going to be an inventory of Marine Protected Areas
23 and then a national system of protected areas.

24 MR. KELSEY: I don't believe there will be an
25 inventory of Marine Protected Areas but for illustration

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1 purposes we are saying this is the suite of suites out
2 there that would meet those definitions of MPA that we've
3 specified in the framework, lasting, marine environment,
4 area reserved, and protection. And then to get
5 into the system they would be -- you would apply the objectives
6 for implementing the system over time and then you would
7 apply the criteria if you have criteria to filter out those
8 which weren't meeting a certain level of management
9 specification that was thought to be appropriate for being
10 part of the system.

11 DR. CHATWIN: But that is where we need to be
12 very clear because representation, as we've heard around
13 the table, should be an entry criteria which is different
14 to management criteria.

15 CHAIRMAN HIXON: Can I help clarify this? I've
16 been reading through these documents from the MPA Center
17 that the management criteria, a little bit in my mind,
18 is sort of a misnomer. I see it as a list of -- as a prioritized
19 list of, first, criteria that must be met to enter the
20 national system. Those are entry criteria, nonnegotiable.

21 You must have this, this, this, and this to enter the
22 national system whatever it is.

23 Then once it's in the system there's going to
24 be priorities for subsequent -- I don't know how I worded
25 that in your document but sort of subsequent help with

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1 that MPA, or set of MPAs, as resources become available.

2 What are desired characteristics of MPAs once they meet
3 the minimum criteria for entering the national system?

4 This is where I see the Subcommittee B doing
5 its work is basically listing what is it that we want to
6 see in MPAs? What are the criteria that we want to see?

7 Of those criteria what is the minimum subset to get into
8 the national system? Then once it's in what are the
9 prioritized things that we want to help those MPAs have
10 that will benefit the national system and the overall goals
11 of that system? Is that correct?

12 MR. KELSEY: Maybe management criteria is a
13 misnomer and too restrictive. Whatever these criteria
14 are, that's what we are asking for advice on right here.

15 Representative wouldn't necessarily be off the list if
16 that was a criteria that the FAC felt strongly about and
17 wanted to put forward. If that is too limiting of a term,
18 management criteria, then it is but it shouldn't be
19 considered to be limited to those things. These, again,
20 are for illustration, for examples. The scope and the
21 actual outcomes are going to be determined by you all over
22 the next three days.

23 CHAIRMAN HIXON: Go ahead, Tony.

24 DR. CHATWIN: I understand we haven't gotten
25 into details but this is an important detail. I don't

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1 see -- I think the terms to define the ad hoc subcommittees,
2 I mean, representation doesn't fit anywhere. Under Natural
3 Heritage we have representative habitats but then under
4 Subcommittee B, management criteria, that doesn't
5 necessarily have sort of representation that is being
6 mentioned, the different type.

7 CHAIRMAN HIXON: So one criterion could be does
8 this MPA address the goal of a representative system of
9 habitats? Yes or no? If it does, that's an entry criterion.
10 If it's not, it's not in. The exact wording of what we
11 are naming these subcommittees and what we are calling
12 these management criteria or whatever isn't as important
13 as the content.

14 MR. KELSEY: I think it's also important --

15 CHAIRMAN HIXON: Your issues are important and
16 I want those to get in there and they will get in there
17 with your leadership.

18 MR. KELSEY: I think that is also important just
19 to remember that, again, no one of these mechanisms is
20 a silver bullet. The management criteria, or whatever
21 these criteria should be, shouldn't also be the categories
22 and the objectives so that's is where we have to be thinking
23 about the products of these subcommittees and coming back
24 to the table and talking about what are being developed
25 and thinking about that.

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1 Maybe representative fits better under
2 objectives for looking at sites than it does under entry
3 criteria. I'm not saying that is necessarily the case
4 but those are the discussions that need to happen as the
5 subcommittees meet, talk about the charge, and then come
6 back to the full committee to report.

7 CHAIRMAN HIXON: Okay, Tony?

8 DR. CHATWIN: Okay.

9 CHAIRMAN HIXON: For now? Okay. Ellen, then
10 Wally, then Dennis, then Dave, and then Dan.

11 MS. GOETHEL: Ellen Goethel. I'll go back to
12 what Dave Benton was talking about. I really think that
13 he has an all-inclusive view and I would take the opposite
14 where we really do need to be very specific at the very
15 beginning on what does get into the initial pie.

16 I do believe to help the MPAs that may want
17 to be in and don't need the criteria that we come up with,
18 we should obviously give them a list of criteria that they
19 need to meet to bring their MPA up to the level that will
20 make the criteria. That way we don't have MPAs that are
21 really not useful ending up in the system just because
22 the people who are governing them really want them in there.
23 We want to have a set that are really, really good.

24 If you have some -- I just feel like if you've
25 got some that you have to bring up to the level of the

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1 rest, it's not going to be -- it won't be helpful to the
2 general public. I think in the end when the rubber hits
3 the road you may have problems in the public area if you've
4 got a lot of MPAs that they don't see as being really useful
5 and that we have to put money into to make them come up
6 to standard.

7 CHAIRMAN HIXON: These are all important issues.
8 What is actually happening is you guys are starting to
9 do the subcommittee work so as soon as we can get through
10 these general discussions, we can actually get down to
11 work.

12 Okay, Wally.

13 MR. PEREYA: Yes. I see it's five after 12:00
14 so I'll try to be brief which is difficult sometimes.

15 CHAIRMAN HIXON: Thank you.

16 MR. PEREYA: We have a situation where we have
17 a charge and that is the national system MPA, but there
18 is specific language in the presidential decree that says
19 that this will all be done within existing authority.
20 There will be no new authorities created so that in itself
21 creates a conundrum as to how you work around this.

22 Since there's a voluntary element that is built
23 into this, it seems to me it's very, very important that
24 the benefits that one derives from -- I'm putting whatever
25 entity is the authority over an MPA -- has in putting that

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1 into the national system however we define how you get
2 in. The benefits have to far outweigh cost, real or
3 perceived.

4 As an example, in the State of Washington we
5 have a state system of registered drivers. As an individual
6 there are certain criteria that I have to meet in order
7 to join and be part of that state system of registered
8 drivers. One of them is you have to be at least 16 years
9 of age and I think under 100 or something of that nature.

10
11 If you fall into that category, you show
12 proficiency in driving, you pass some sort of a written
13 test that says you know the difference between a red light
14 and a green light and so forth, and you then can become
15 part of this system. Well, there are certain advantages
16 of belonging to this system. I get an identification card
17 that I can then use to get on an airplane.

18 That works pretty good. I don't have to have
19 a passport with me. If I get stopped, it shows I am a
20 registered driver and I'll be able to continue to drive.

21 One of the disadvantages is if you don't have that card
22 and you get stopped, you know, severe finds and so forth.

23 There is built intuit sort of benefits that are derived.

24 In this case here we all know that federal dollars
25 are very limited and you have entities which have MPAs

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1 presently, the Regional Fishery Management Councils
2 together with the National Fishery Service have got systems
3 of MPAs associated with their management structures that
4 they manage for better or for worse. They also have a
5 lot of other activities that require funds. These MPAs
6 require funds.

7 We in the North Pacific have fishery surveys
8 which are very critical to the management process. If
9 there is an MPA system that is established, obviously it's
10 going to take money to manage and enhance that national
11 system.

12 Individuals are going to be looking at that
13 and saying, "What benefits do I get by putting my MPA into
14 that system vis-a-vis the reallocation of scarce federal
15 money in my particular entity that will take place as a
16 result of this? Is this going to be worthwhile to me?"

17 I think for that reason the benefits to be derived from
18 this national system really have to be clearly laid out
19 and made apparent so that there will be participation.

20 CHAIRMAN HIXON: So this is back to the issue
21 of incentives that is one of our standing subcommittee
22 topics and an extremely important topic. It's also not
23 the topic we are going to deal with at this particular
24 meeting.

25 Okay. We are really running out of time. I'm

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1 not taking anymore names at this point. There are four
2 more people in the queue. Dennis Heinemann. Please be
3 brief, everyone.

4 DR. HEINEMANN: I'll start with a question,
5 Jonathan. I may have missed it. Is there something in
6 there on performance of an MPA as to whether or not that
7 would affect his entry into the system or not?

8 MR. KELSEY: No.

9 DR. HEINEMANN: I think then there is something
10 missing here potentially.

11 MR. KELSEY: Unless you consider -- I mean, it
12 depends on how you define performance. If they should
13 have a management plan and they don't, you could call that
14 performance. But there are also other ways to measure
15 performance. There is a whole slew of ways. When you
16 are saying performance that is extremely broad.

17

18 DR. HEINEMANN: Performance with respect to
19 things or other ways of looking at objectives such as
20 protecting biodiversity or enhancing sustainable
21 production, something like that. I'm assuming that
22 ultimately we want a system of MPAs that is functional
23 from an ecological, economic, and social perspective.

24 Therefore, it seems to me that at some stage in this
25 scheme you need to take into account what we know about

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1 the performance of MPAs in assessing their entry into the
2 system or alternatively what level of assistance they give
3 as part of the system.

4 It is all well and good to set up a series of
5 criteria, objectives, categories, assess management, etc.,
6 but if the MPAs don't actually performance to contribute
7 to a functional valuable system of MPAs that meets those
8 Natural Heritage, etc., goals, then what is the point of
9 having that MPA? It's like saying you have an objective
10 or protecting the coral reefs but you set up an MPA and
11 there are no coral reefs.

12 CHAIRMAN HIXON: That is where the issue of
13 monitoring and assessment is extremely important and should
14 be part of the deliberations of the subcommittee.

15
16 MR. KELSEY: At that level that you just exampled
17 putting an area that says it's going to manage coral reefs
18 but there's no coral reefs there, that doesn't contribute
19 to that conservation objective. But is there anywhere
20 in here that would say if you are a coral reef MPA and
21 you have coral reefs in your area how well are you doing
22 relative to that? That could be built into the entry
23 criteria. It's not is it up there now or isn't
24 it. It's this is an example and we are looking for the
25 advice from you all on what these criteria should be and

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1 what the objectives should be. If a committee comes forward
2 with something that says, "We need to evaluate the
3 performance ala how is my MPA doing guidebook for these
4 kinds of things?" then that is something we'll need to
5 give some serious consideration to. There's nothing
6 specified up here right now. These are the discussions
7 for the subcommittees to have and for the full committee
8 to have.

9 CHAIRMAN HIXON: All good points.

10 Dave Benton.

11 MR. BENTON: I have a really simple question,
12 I think. I'm on Subcommittee A where we look at the
13 categories and yet the entry criteria are going to be dealt
14 with by Subcommittee B or whatever. I'm just wondering
15 if we should on our subcommittee give some thought to criteria
16 for entering the categories we are coming up with because
17 there's a little bit of disconnect there.

18 CHAIRMAN HIXON: There is integration among the
19 products and work of all these subcommittees. The problem
20 is trying to do work in plenary is impossible.

21 MR. BENTON: I understand.

22 CHAIRMAN HIXON: What we're doing is we are going
23 to be subdividing. My hope is that some subcommittees
24 will get their work done earlier than others and then join
25 others and there will be that cross-fertilization.

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1 In any case, we will be reporting back
2 periodically on our subcommittee work and discussing it
3 in plenary and ultimately with the final products voting
4 on those final products at the end of the meeting. We'll
5 have as much cross-fertilization as we can within the
6 confined of a subcommittee structure.

7 MR. BENTON: My difficulty is I don't know how
8 to come up with a category unless I know what the criteria
9 are for getting into it in a way.

10 CHAIRMAN HIXON: I understand. This is why the
11 MPA Center provided the background and guidance materials
12 as well as the strawmen tables to give you some ideas to
13 get started. Everybody definitely needs to check that
14 stuff out.

15 Dan Bromley.

16 DR. BROMLEY: Mr. Chairman, out of infinite
17 empathy, not sympathy but empathy for you watching the
18 clock and seeing a bunch of people with both dubious comments
19 and questions, I withdraw my name from your list.

20 CHAIRMAN HIXON: That was perfect, Dan, except
21 you called me Mr. Chairman.

22 DR. BROMLEY: Whatever you are.

23 CHAIRMAN HIXON: I'll forgive you this once.

24 MR. BENTON: Yeah, right. Okay. Take me off
25 the list.

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1 CHAIRMAN HIXON: Last question. Bob Zales.

2 VICE CHAIR ZALES: I just want to be clear in
3 my understanding of this since I'm the chairman of B.
4 I'm looking at this with MPAs like, and I'm going to use
5 the analogy of a boat. We're going to figure out what
6 the basic components for this boat are going to have to
7 be and some of these MPAs are going to meet that basic
8 thing so they will be like in the top five category.

9 The other ten some of them are going to have
10 various parts of the component and then we are going to
11 recommend these others can or can't be in here but, if
12 they are, or they want to be, then the MPA Center is then
13 going to help provide these components to bring them to
14 the level of those other five boats. Is that a reasonable
15 analogy of where we are headed?

16 MR. KELSEY: I think that is a reasonable analogy.

17 CHAIRMAN HIXON: Okay. Here's our charge. In
18 your packet is a number of documents -- are a number of
19 documents that are important for your subcommittee work.

20 The first one is our revised charge. That revised charge
21 for this particular meeting is basically what Jonathan
22 just spoke about and we just discussed.

23 I want to emphasize that all the ideas that
24 were put forth are important ideas and they can all be
25 incorporated under this subcommittee structure. Make your

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1 stuff fit. There's no preconceived notions about what
2 you have to say or not say.

3 For each subcommittee, and I assume everybody
4 has the list of those ad hoc subcommittees so you know
5 which one you're on, these ad hoc subcommittees were designed
6 as much as possible to even out the level of expertise,
7 to level out the representation of different stakeholder
8 groups, as well as to be chaired by members of the executive
9 committee who were involved in the development of all this.

10
11 That said, there were a number of last minute
12 cancellations by members and some of these ad hoc
13 subcommittees have shrunk in size so we are going to have
14 to do some merging. In particular, John Ogdem is not here.

15 Who else is missing? Dan Suman is not going to show up
16 until tomorrow. Dennis Heinemann is only available today.

17 Things of this sort. Bob Bendick was originally in
18 Subcommittee A and he's been returned to Subcommittee A.

19 Those are the changes.

20 We are going to have Subcommittee A, which is
21 development this broad list of categories for descriptive
22 purposes, which now has a membership of four, and is chaired
23 by Steve Murray, meet with Ad Hoc Subcommittee 2 which
24 is developing priority objectives for Cultural Heritage
25 which only has two members in it chaired by Ellen at this

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1 time. You guys will be working together, decide which
2 business you want to do first. Either Ellen will chair
3 first and then Steve will chair or vice versa. You guys
4 can work that out.

5 Ad Hoc Subcommittee B, this whole management
6 criteria, the one that we've been having a lot of discussion
7 about, you can change the name of that if you want. All
8 these subcommittees have fairly extensive packet material
9 involving guidelines and background and, importantly,
10 strawmen that the MPA center has put together.

11 You can use these strawmen or not but this is
12 what the type of tabular list of materials that would be
13 useful to the MPA Center. Go through these materials
14 carefully. That Ad Hoc Subcommittee B is chaired by Bob
15 Zales. It's the largest so it will meet alone.

16 Finally, Subcommittees C1 and C3, the priority
17 objectives for Natural Heritage and sustainable production
18 -- I may have said that wrong before. Cultural Heritage
19 is Ellen's group. Natural Heritage and Sustainable
20 Production. Natural Heritage chaired by Tony Chatwin and
21 Sustainable Production chaired by Max Peterson will also
22 meet together with the same idea of doing one subcommittee's
23 work first and then the other subcommittee's work. We
24 will be divided into three groups, a group of five, a group
25 of six, and a group of seven.

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1 That said, and looking at the clock and how
2 we are way behind time, what I would like everyone to do
3 at this time is grab your lunch, meet where I tell you
4 to meet, which I'm going to tell you about in a moment,
5 and just work through lunch and we will reconvene -- we
6 are going to reconvene at 2:30. I would like you to work
7 for the next two hours in your subcommittees to get as
8 much done as you can. We'll reconvene in plenary at 2:30
9 to see how far we've gotten and see what's developed.

10 Here's where we're meeting. There's another
11 room we have available, room 515, which is right out here
12 somewhere right over in this corner. That's where we're
13 going to send the largest group which is group C1 and C3
14 combined, the group of seven. They are going to meet in
15 room 515.

16 Subcommittee A and C2 will meet at this end
17 of the table. A and C2 at this end of the table. Subcommittee
18 B will meet at that end of this table. Please right now
19 break, get your materials, grab your lunch, go sit down
20 with your committee and start working. Thank you, everyone.

21 (Whereupon, at 12:19 p.m. off the record for
22 lunch to reconvene at 2:30 p.m.)

23
24
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A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

3:36 p.m.

CHAIRMAN HIXON: I think we're all here. First, thanks everybody for grinding away at these tasks initially and making clearly some progress. I've heard that all three groups did make some progress.

What I want to do now is to hear briefly from each subcommittee. Time-wise we've got about maybe 10 minutes each. Then at 4:15 is the scheduled public comment period. If there is no public comment, and no one has signed up yet, it shows you the interest in our group, then we'll just continue. We'll go back into session and then break at 5:00 as originally planned.

All righty. Let's just go down the letters. The combined group A and C2. Subcommittee A. Did you

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1 guy get to Subcommittee A work?

2 DR. MURRAY: We did.

3 CHAIRMAN HIXON: Do you have something you can
4 report, a progress report?

5 DR. MURRAY: Well, let's see. Where's Jonathan?

6 CHAIRMAN HIXON: Ten minutes.

7 DR. MURRAY: Where's Jonathan? Let's do C2
8 first.

9 CHAIRMAN HIXON: Okay. We're going to do C2
10 first.

11 MS. GOETHEL: We worked on A1 first and I think
12 it was really helpful to have the large group together
13 for that because we had some really varied ideas. Then
14 we split up at the very end into subgroups.

15 CHAIRMAN HIXON: This is the progress report
16 for group C2?

17 MS. GOETHEL: C2.

18 CHAIRMAN HIXON: Just give the name of your group
19 if you don't mind.

20 MS. GOETHEL: Cultural Heritage. Objectives
21 for Cultural Heritage. To be honest with you, we had a
22 very short time. All we got to was prioritizing the
23 objectives and rewriting a few of the objectives. Jonathan
24 is going to print those out for us and then we have homework.

25 CHAIRMAN HIXON: Okay. Can you just read the

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1 list that you have so far?

2 MS. GOETHEL: Sure. We prioritized. No. 1
3 would be cultural and historic resources listed on the
4 NRHP. The second one would be cultural and historic
5 resources formerly determined eligible for the NRHP or
6 listed on a state register. Three are cultural sites that
7 are paramount to a culture's identity and/or survival.

8
9 Four would be cultural and historic sites that
10 may be threatened. Five are cultural and historic sites
11 that can be utilized for heritage tourism. We are probably
12 going to rewrite that title but you get the idea. No.
13 6, cultural and historic sites that are under-represented.
14 The last one was cultural and historic sites where
15 additional information can be relatively easily obtained
16 to assist in determining NRHP eligibility. That's as far
17 as we got.

18 CHAIRMAN HIXON: Great.

19 MR. O'HALLORAN: Can I ask a question? Was there
20 discussion about cultural as it relates to traditional
21 uses?

22 MS. GOETHEL: We hadn't gotten into it yet.

23 MR. O'HALLORAN: Okay. I think that is something
24 that we discussed in the past in earlier sections that
25 cultural would include more of the traditional uses.

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1 Thanks.

2 CHAIRMAN HIXON: Let's go on. Steve, could you
3 give us a summary?

4 DR. MURRAY: We are now ready. Jonathan has
5 passed out a printout that is the results of Subcommittee
6 A's work so you should have that in front of you. It's
7 up on the screen as well.

8 Our combined charge, and we spent our time working
9 on this, our charge was to look at the categories of MPAs
10 and to try to come forward with a set of categories for
11 classifying any MPA that might be out there into the national
12 system. We were given a couple of alternative proposals,
13 draft proposals. We discussed those and came up with one
14 of our own as this group is always seemingly able to do.

15 You have that in front of you. Very briefly
16 we have identified three over-arching categories of MPAs.

17 There are MPAs that are entitled Marine Natural Heritage
18 Areas, Marine Sustainable Production Areas, and Marine
19 Cultural Heritage -- that should be Areas. And under each
20 there are two subcategories. You can see the titles of
21 those. The first super category, Marine Natural Heritage
22 Area, the primary conservation focus is Natural Heritage.

23 It's important to note that is the primary, not sole,
24 focus.

25 The primary management goals are listed. The

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1 use category or level of protection is listed. The use
2 category fall into two, multiple use and no take. This
3 is consistent for each of the three major types of MPAs
4 and the two subcategories, therefore, of MPAs that fall
5 underneath each category title.

6 I think pretty well what you see here speaks
7 for itself as our attempt to put this categorization scheme
8 together. The idea is that the first category, which is
9 multiple use, is going to involve the allowance of more
10 than one use but that uses may be restricted or zoned and
11 access may be limited in order to meet management goals.

12 Where as the no take type of category will have
13 no extractive uses allowed except for permitted scientific
14 uses and other uses may be restricted and access limited
15 as necessary to meet site management goals.

16 The idea here is that a no take category is
17 more restrictive, more protective, stronger with regard
18 to the protection it provides. You'll see that type of
19 additional stronger protection provided under each of the
20 Marine Natural Heritage Sustainable Production Areas and
21 Cultural Heritage Areas.

22 So this is our best attempt to come up with
23 some kind of categorization scheme. With that I'll leave
24 it open and try to answer any questions as anyone else
25 in the group might want to. Ellen, you have your hand

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1 up. You may want to say a word or two as well.

2 MS. GOETHEL: I just wanted to emphasize that
3 under the use category where it says, "Limited as necessary
4 to meet the site management goals." Site management goals
5 would not necessarily be exactly the same as the primary
6 management goals. They would have a whole subset of
7 restrictions or uses that would be allowed for each site.
8 There's a little distinction there.

9 CHAIRMAN HIXON: So you're saying beyond the
10 primary conservation focus of the site the site management
11 goals could include something else basically.

12 MS. GOETHEL: They might allow -- management
13 goals here are very, very general. Over here where we
14 said, "Limited as necessary to meet site management goals,"
15 they are talking about two different things. Not totally
16 different but a subset within a set. Do you see what I'm
17 saying?

18 CHAIRMAN HIXON: What I'm hearing in my own brain
19 the way I work that out is there is going to be that primary
20 management goal.

21 MS. GOETHEL: Right.

22 CHAIRMAN HIXON: That's what puts it in that
23 category.

24 MS. GOETHEL: Absolutely.

25 CHAIRMAN HIXON: And there may be additional

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1 goals as well.

2 MS. GOETHEL: Each site specifically has on its
3 own.

4 DR. MURRAY: Mark, I think the issue here that
5 we talked about, and correct me if I'm wrong the rest of
6 you on the subcommittee, is that the primary management
7 goals are fairly global as they should be in a categorization
8 theme. Any individual site would have more specific types
9 of goals against which evaluation might occur.

10 Then in a use category you might have some actions
11 you would need to take in order to realize some of those
12 more specific goals that may apply to a given site. This
13 is language that hopefully captures all that kind of
14 activity.

15 CHAIRMAN HIXON: Dan.

16 MR. BENTON: I'm sort of interested in the
17 far-right column, Steve. I see a dichotomy in which in
18 one sense it's of two different types, take and use. I'm
19 sorry. That's not ordinarily the way I dichotomize things.

20 It's either yes or no or lots of use or not very much
21 use. Now you have use and take. I would really like this
22 far right-hand category to speak both to us as a committee
23 and to secretaries that we advise and to the public about
24 what goes on here. I wonder if this no take word or phrase
25 isn't a carryover from old discussions.

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1 I find it not very pleasant but I wish there
2 was a way that you could help us think about -- I mean,
3 is this managed use? Is multiple use managed use? Then
4 this other box I don't know what it is but I must say I'm
5 uncomfortable with this dichotomy which isn't.

6 DR. MURRAY: You know, we had, I think, some
7 struggles with that which is one of the reasons why in
8 the model we represented that column was categorized as
9 level of protection.

10 MR. BENTON: Protection, yes.

11 DR. MURRAY: Multiple use is not a level of
12 protection per se because it's a grab bag with all different
13 use possibilities.

14 MR. BENTON: I can see lots of uses under no
15 take but no taking. You can boat across it. You can get
16 down in it but you can't take anything out of it.

17 DR. MURRAY: So can you offer a parallel set
18 because we were trying to come up also with what might
19 be different titles.

20 MR. BENTON: If you're open, I'll think about
21 it and others may. If you are committed to this, then
22 there's no sense in trying to improve upon it. If you
23 are really looking for some alternatives, let us put our
24 heads together on it. I don't find this quite satisfactory.

25 CHAIRMAN HIXON: We've got to move along because

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1 we have to get everybody in. I'll take a really quick
2 question.

3 Tony, you're next. Please make this very quick.
4 We've got to stop at 4:15.

5 DR. CHATWIN: I like how this is coming along.
6 I just had a question. One scenario, the Marine Natural
7 Heritage Areas, you have the resource conservation areas
8 and the resource reserve. In the conservation areas we
9 can zone it so that within it you could have subsections
10 that would fit the criteria for the no take areas and the
11 resource reserve. Can you share with us discussions you
12 had about that and how that works?

13 DR. MURRAY: So your view is that you can take
14 this area and call it a Marine Natural Resource Conservation
15 Area but have part of it embedded in it where no take might
16 be present as a zoned-off activity. I think the way this
17 would be categorized would be it would be two types of
18 MPAs, one embedded in another. The one MPA where some
19 kind of multiple use in zoning was going on would be called
20 the first type, but the second area where there would be
21 no take would be called the second type.

22 That is exactly, by the way, how this went in
23 California because in California there are side-by-side,
24 in-shore and out-shore areas, some as no take and some
25 that falls into the other category. You could look at

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1 that in an overall step back mode and say that's a zone
2 type of use but those areas have different names associated
3 with the kind of activities that they are controlling.

4 CHAIRMAN HIXON: Okay. We have five more minutes
5 we can spend on this one. Out of respect for the letting
6 everybody get a quick say in, we are obviously going to
7 come back to all these issues. We've got three people
8 lined up now, Bob Zales, Bob Bendick, and Dennis Heinemann.

9 VICE CHAIR ZALES: Mine is real quick. On the
10 Marine Cultural Heritage under the Primary Management and
11 Goals, you've got everything listed there and at the end
12 it says, "And recreational opportunities." Did you
13 purposely exclude commercial opportunities or did they
14 not have any source level?

15 DR. MURRAY: For Cultural Heritage I don't think
16 that a primary management goal involves commercial
17 opportunities. It's a primary management goal.

18 CHAIRMAN HIXON: Thank you. Bob Bendick. You
19 need to use a mic.

20 MR. BENDICK: Just a comment from the group.
21 I think we talked about the no take stuff. Perhaps the
22 feeling was it's better to just say it than leave it to
23 people's imaginations. It is what it is. We have tried
24 to closely define what it is and people can like it or
25 not like it but they won't be confused by it.

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1 CHAIRMAN HIXON: That's true. There is more
2 discussion that is going to need to take place here. For
3 example, one can imagine dumping mining tailings into an
4 area as being no take because you are dumping stuff in.

5 I often hear the term "fully protected" in lieu of no
6 take. Anyway, further discussion on that?

7 All right. Dennis Heinemann is next. We have
8 three minutes.

9 DR. HEINEMANN: Did you consider a category in
10 this -- this has something to do with the question Mark
11 just asked -- a category that was even more restrictive
12 than no take in which no destructive activities are allowed
13 thinking of things like cable laying, anchoring,
14 high-intensity use by divers and snorkelers and that kind
15 of thing.

16 One of the reasons why it might be important
17 to consider that is there are some areas in which fishing
18 doesn't occur and how would you provide that protection
19 because the no take wouldn't apply then necessarily?

20 DR. MURRAY: If you read the language, it says,
21 "Other uses may be restricted and access limited." That
22 is going to appear in all of these. That would come in
23 to these other kinds of activities you're talking about
24 which could range from anything from dumping mining tailings.
25 One of the types of activities we discussed was running

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1 jet skis in and out and back and forth in an area where
2 that kind of activity might be disruptive.

3 All those would fall under the use of other
4 uses may be restricted. Those other uses that would be
5 restricted, or may be restricted, would need to meet site
6 management goals. I think we've got that covered but,
7 you know, you might want a different type of terminology.

8 I think the biggest issue really is the multiple use versus
9 no take. Those are not parallel headings.

10 As Bob pointed out, we at least made an attempt
11 to put one category in each of these types of areas into
12 a more strong protection scenario. Obviously the multiple
13 use category is going to have a whole range of different
14 levels of protection so you can't into it what the level
15 of protection is in a multiple use type of category of
16 an MPA without knowing what the uses are and what's restricted
17 and to categorize them accordingly.

18 At least with the no take you can intuit that
19 this is a strong level of protection for Marine Natural
20 Heritage, for Marine Sustainable Production, and for Marine
21 Cultural Heritage. We thought that distinction was worth
22 making. Hence, that's why it stayed.

23 CHAIRMAN HIXON: All good comments. Dave Benton,
24 can you wait? Thanks.

25 Okay. I would like to go on to the next group.

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1 That would be Group B. This is the so-called Management
2 Criteria Ad Hoc Subcommittee.

3 MS. WENZEL: I should say this group was comprised
4 of Bob Zales was the chair, Tundi -- I don't have my list
5 in front of me. Jeff Pearson, Dan, Mike Cruickshank, and
6 Dan Suman will join us tomorrow. We had a couple of other
7 folks from NOAA. Joe and Dana joined us also. So what
8 we did was we looked at the list of management criteria
9 that had been discussed. We developed some
10 additional criteria that we thought were important and
11 then we went through a process to talk about which ones
12 we thought should be entry criteria and which ones should
13 be used to evaluate technical assistance or needs. We
14 had quite a long discussion about the big tent versus the
15 small tent in terms of how large the national system should
16 be, how should it function. We recognize there was a lot
17 of breadth on that issue across the committee.

18 Where we ended up was this proposal to look at tiers
19 to identify some basic entry criteria and those are listed
20 at the top there in terms of tier 3. Those would include
21 clear goals and objectives, site specific legal authority,
22 site specific management plans, and appropriate staff
23 support. Those would have to be met in order for a site
24 to enter the national system.

25 Then after that there are some additional

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1 criteria that sites could meet in order to move up to a
2 higher tier. Those would include monitoring and assessment
3 including benchmarks and indicators, enforcement capacity,
4 balanced stakeholder involvement through the process,
5 active outreach and education, and on-site staff.

6 You could put appropriate in front of each of
7 those. We talked about the fact that those would need
8 to be defined and they might be different in different
9 cases. The idea was that tier 2 would include at least
10 one of those five bullets and tier 3 would include all
11 of them.

12 Again, we recognize tier 1. I keep confusing
13 them. I'm dyslexic with my tiers. We recognize that some
14 of these tiers are very restrictive and that there would
15 be very few sites that would meet them but we thought it
16 was a good starting place in terms of talking about what
17 was desired for our sites within the national system.

18 CHAIRMAN HIXON: Could you discuss the rationale
19 for the system?

20 MS. WENZEL: Do you want to? Sure.

21 VICE CHAIR ZALES: What that was because
22 obviously there's going to be -- the appearance of this
23 is that you are going to have a crown at the top. There
24 obviously must be some MPA somewhere that meets every bit
25 of that. In a sense when it comes to being part of a national

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1 system, they don't really need anything.

2 If you're going to be involved in a national
3 system and you are going to want the assistance of whatever
4 benefit you're going to get from the national system, then
5 at a minimum would be the bottom, tier 3, you would meet
6 those four goals. Then if you were going to be in the
7 middle part and try to achieve the middle part, then you
8 would have to add one or the other.

9 Once you've got them all then you get to the
10 crown level. Reality kind of says in our opinion anyway
11 that the 1,500 or 1,600 that have been identified all aren't
12 going to get into the system. Some of them aren't going
13 to want in the system. The ones that do to get into it
14 they reach that minimum amount and then the national system
15 will assist them in trying to get to the top if they want
16 to. Also realizing that there's probably some MPAs out
17 there that can't meet all of this.

18 They may meet the first four and they may meet
19 one or two of the others but they will never achieve them
20 all because they are not designed to do that so there is
21 no way they can get there but they can still be part of
22 the system because they are doing what they were intended
23 to do. That's kind of the rationale behind it.

24 PARTICIPANT: Are all those in and out factors?

25 MS. WENZEL: Just the top four.

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1 VICE CHAIR ZALES: The first four are the ones
2 with the checks. That is the minimum criteria that you
3 would need to get into a national system. Then to get
4 to the second level would be those first four plus a minimum
5 of one of the five dots. Once you achieved all four checks
6 and all five dots you are at the top. You're done.

7 CHAIRMAN HIXON: Tony is next.

8 DR. CHATWIN: The concern I have is on behalf
9 of Lelei because we've had this discussion in Subcommittee
10 2, the standing subcommittee.

11 VICE CHAIR ZALES: Tony pointed that out.

12 DR. CHATWIN: I mean, it doesn't seem like a
13 community-based area that doesn't necessarily have site
14 specific legal authority and a management plan. It's out
15 of the national system and this is precisely what Lelei
16 was concerned about and this is precisely what we have
17 been working against as a committee which is we do not
18 want to alienate a site because it has been set up for
19 a different purpose than those.

20 I can see the federal sites fitting in nicely
21 here and I don't know how many state sites would fit in
22 but I think we need to be very careful with the sites like
23 Lelei because those are important constituents for the
24 national system. If you guys discussed it, it would be
25 good if you could tell us what you discussed.

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1 VICE CHAIR ZALES: And we talked about that and
2 those concerns were expressed. When it comes to
3 -- and some of this is still kind of open-ended because
4 when it comes to a state we are, in my mind anyway, trying
5 to figure out why would a state even want to be involved
6 because obviously you're not going to force them so they
7 are going to gain something from it. If they can get past
8 some of that and this is all up for discussion for the
9 final two to get the info like you just did. Tundi talked
10 about what had been done there. That's pretty much where
11 that is.

12 CHAIRMAN HIXON: We've got two minutes and two
13 people are signed up. One minute each.

14 Dave Benton.

15 MR. BENTON: I don't know who should answer this
16 but if I understand it, an entity wants a site to be in
17 the national system. If they meet the first four checks
18 under entry criteria, they can qualify to be in the system.
19 Then it's a progression of sort of how you rank in the
20 system and whether or not you get added bennies under those
21 other two tiers. Is that the idea?

22
23 VICE CHAIR ZALES: Once you get into the system
24 then you have the benefit, whatever the benefit is. To
25 my knowledge, we don't know what the benefit of the national

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1 system is going to be yet. Once you get into the system
2 and once that benefit is defined, then that gives you the
3 opportunity to obtain that benefit.

4 I'm assuming that benefit, with something like
5 this anyway, you would have some alternate benefit to get
6 to the top. Otherwise there would be no reason to go for
7 the top. Like I said, there will some that can't even
8 make it to the top because they are just not designed to
9 do it.

10 MR. BENTON: Mr. Chairman, just a short follow-up.
11 The tier 2 and one are not intended to keep a site out.

12 VICE CHAIR ZALES: No, no. Once they get in
13 -- in other words, if you're not there, then obviously
14 you don't get any benefit from the national system. Once
15 you get on the bottom floor, then you seek assistance for
16 that benefit whatever it might be.

17 MR. BENTON: And this is all voluntary. Sort
18 of nominating and --

19 VICE CHAIR ZALES: Because you have this now
20 you're in.

21

22 MR. BENTON: Okay.

23 MR. O'HALLORAN: So I've got 10 seconds.

24 CHAIRMAN HIXON: We are virtually out of time.
25 Can you make this very quick?

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1 MR. O'HALLORAN: Yes, I can. Just to carry on
2 a little bit with what Tony said, I think some of that
3 tier3 which we would consider minimum, a minimum requirement,
4 the site specific management plans and the appropriate
5 staff support I think would certainly eliminate most
6 community-based MPAs and also eliminate many of the state
7 regulated, state control, state jurisdiction MPAs.

8 It's just a comment. I think that if our intent
9 is to get MPAs into the system with some reasonable criteria,
10 I think those particular ones I think we might want to
11 look at a little bit because I think we do want the state
12 MPAs to participate in this.

13 VICE CHAIR ZALES: The term appropriate -- Joe
14 and I had this conversation. It's kind of what is the
15 definition of appropriate. I'm certain some attorney
16 somewhere is going to define it. Appropriate could be,
17 in other words, if a state -- if a local entity had something,
18 clearly somebody had to establish the site. In my mind
19 appropriate would be there is your staff support because
20 they created it. Appropriate was put in there to try to
21 be flexible.

22 MR. O'HALLORAN: In the limits of time, the 10
23 seconds that Mark gave me, I think we probably need to
24 discuss that one or, at least, I would appreciate that.

25 CHAIRMAN HIXON: Absolutely. Again, this is

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1 just an initial 10-minute discussion by each subcommittee
2 and we are probably not going to have any input, any public
3 comment so we'll just continue but right now I just want
4 to give each group 10 minutes just for a quickie overview.

5 The last group is the combined C1 and C3. Who
6 wants to speak first, C1 or C3? C1? Okay. You are the
7 priority objectives for Natural Heritage. Okay. Go, Tony.

8 DR. CHATWIN: All right. Very quickly, we did
9 start working on this. The first decision that we made
10 as an integrated subcommittee was that we wanted to --
11 as a committee it was unanimous that we would like to include
12 in the entry criteria geographic representation. It was
13 here as one of the examples of the heritage objective and
14 we thought that first you can't really assess the
15 contribution of a given site unless you are looking --
16 and that it was important enough to be an entry criteria.

17 Then the other things that we did in the
18 subcommittee was to go down the first two columns and talk
19 about the example of objectives and then the types of places
20 that exemplify that objective. I can read them if you
21 would like. We have the notes and we are going to share
22 that. We are going to work a little more on that.

23 CHAIRMAN HIXON: You created a list but haven't
24 yet prioritized it?

25 DR. CHATWIN: We have not prioritized. What

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1 we did was basically define the universe of things that
2 we are going to prioritize and tomorrow we are going to
3 get to the --

4 CHAIRMAN HIXON: Is it the same list that you
5 got as a strawman or is it different?

6 DR. CHATWIN: We added more examples.

7 CHAIRMAN HIXON: How about saying the ones that
8 have been added to that strawman?

9 DR. CHATWIN: Okay. I wasn't taking notes so
10 I think I've got it but basically we have neglecting important
11 geological and we added an oceanographic feature because
12 there was one that talked about oceanographic features.
13 We removed that so we lumped it. Then the next one was
14 unique or rare communities. We defined it as unique or
15 rare habitats and associated communities. Then
16 biodiversity hot spots. I think we changed spawning
17 aggregations if I'm not mistaken.

18 CHAIRMAN HIXON: So you are well on your way
19 to complete the list?

20 DR. CHATWIN: I think the list is complete.

21 CHAIRMAN HIXON: Oh, okay.

22 DR. CHATWIN: What we haven't done is
23 prioritized.

24 CHAIRMAN HIXON: Okay. Great. Thank you.
25 Quickly, Bob Bendick.

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1 MR. BENDICK: Are you talking about anything
2 that are now marine eco regions well defined for the U.S.
3 about representation within eco regions or some other
4 biogeographic description?

5 DR. CHATWIN: We didn't talk about regions.
6 We had a discussion about what sort of regional
7 representation would we want to see. The center explained
8 what regions they are using. That seemed satisfactory
9 to the group. I would ask the center to explain which
10 regions they are using. Basically it was not unlike the
11 Fishery Management Council Region.

12 There was a discussion about regions. We haven't
13 got into whether we should use marine eco regions because
14 it seemed to satisfy the committee to use the regional
15 council.

16 CHAIRMAN HIXON: You look like Tony Bennett or
17 somebody right now but we'll let that go.

18 DR. CHATWIN: I'm not going to sing.

19 CHAIRMAN HIXON: Okay. C3. This is the
20 Priority Objectives for Sustainable Production.

21 MR. PETERSON: Yes. One of the things we had
22 a little trouble shifting to is the reason for cultural
23 areas, for example, is primarily a protection objective
24 to protect shipwrecks and to protect submerged prehistoric
25 sites and so on so the primary purpose of the cultural

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1 and heritage areas to a major extent is protection.

2 Here the primary purpose of the sustainable
3 production areas is sustainable use but we had a little
4 trouble making that shift in our mind because we kept trying
5 to be parallel in what we had done before. What we did
6 then we went into using these examples. Let me go to the
7 second page. Turn over to the second page.

8 CHAIRMAN HIXON: We don't have the handout.

9 MR. PETERSON: I'm sorry. Okay. On the first
10 page we had reduced by-catch but obviously that's important
11 for sustainable production, protecting spawning areas.
12 We actually had a juvenile and mature fishing areas that
13 are necessary for sustainable production.

14 We had nursery habitats to protect forage grounds.
15 Then we had a major objective to conserve areas of high
16 production, areas that are high productivity. If you're
17 going to have sustained production, you want to be sure
18 you protect the areas of real high production.

19 Then we got into conserving natural and extended
20 age and sex structure of important harvestable species.

21 In other words, unless you maintain the age structure,
22 sex structure, and life cycle structure. But one of the
23 examples listed in the handout was no take sites and we
24 thought that's really maybe a zoning or management thing.

25 It's not an example of a place that contributes necessarily

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1 to sustainable production so we are probably going to
2 eliminate that.

3 Then we had conserving or restoring. We took
4 out historic areas because we thought that got pretty much
5 into the cultural side of things so we had conserve or
6 restoring priority, high priority, fishing grounds, and
7 habitats. Species that provide support opportunities for
8 recreational fishing for example.

9 We made this shift from the pure protection
10 side to sustainable production as its primary objective
11 some level of use, supporting sustainable use. In fact,
12 we might have been happy with this one, or I would have
13 been, if we had called it sustainable use. You are producing
14 for use. Anyway, we have a lot more work to do. We do
15 have this on the computer and we'll try to shape it up
16 over night and spend some more time on it.

17 Putting these together have both benefits and
18 detriments. It took longer but we also got broader
19 contribution which I thought was helpful. Any comments
20 by other people on the new subcommittee? Very active group.

21 I don't think there was a shrinking violet in the group.

22 CHAIRMAN HIXON: Good, good. Okay. Thanks,
23 Max.

24 Right now it's 4:15 and it's the public comment
25 period. Has anyone signed up to make public comment?

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1 Zero. That's too bad.

2 Okay. So here is what I suggest we do. Rather
3 than taking a break now, we are going to adjourn at 5:00.

4 We have 45 minutes now of free-ranging open discussion
5 to provide feedback to each of the subcommittees. There
6 has been some excellent feedback so far.

7 The idea, I'm hoping, is that the chairs of
8 each of those subcommittees takes very good notes and then
9 when we meet tomorrow morning we start addressing these
10 issues. Is that okay with everybody to do this for 45
11 minutes? First thing tomorrow we'll dive right back into
12 our subcommittees and revise our products. Okay? Is
13 everybody okay with that? Okay. Gil, you're first.

14
15 MR. RADONSKI: I would like to address Steve
16 Murray's report which I think was excellent and the comment
17 that Dan made. I think they were excellent as well. I
18 think Steve's report and his committee's hard work really
19 succinctly captures what the hell we've been doing. I
20 think it really is good. I suggested to Steve, and I don't
21 know if he likes it or not, but retain these categories
22 we have but in the far right category where we have multiple
23 use and no take eliminate those completely.

24 Not the verbiage, just the headings. Eliminate
25 the words "multiple use" in each category and "no take."

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1 That leaves us with a conservation area having multiple
2 uses, etc., and a reserve no extractive uses. We can get
3 rid of the very controversial term no take.

4 CHAIRMAN HIXON: Okay. Very succinct. I
5 appreciate that, Gil. Very good comment.

6 Okay. Dan.

7 MR. BENTON: Gil, would you accept a friendly
8 amendment? You used the word extraction and I think somebody
9 reminded us that it's possible to harm a precarious area
10 without taking something out but, indeed, by putting
11 something in. Would we want to change it from no extraction
12 to no discernible human induced impact?

13 MR. RADONSKI: I think that's excellent. We
14 may tinker with the verbiage in those boxes. I was just
15 reading it.

16 MR. BENTON: Good.

17 MR. RADONSKI: I didn't have any ownership on
18 it.

19 MR. BENTON: I think the distinction is a good
20 one, Gil. Are we doing something bad either by taking
21 something out or putting something in and that's different
22 from the other category. I submit.

23 CHAIRMAN HIXON: Okay. That's great. One
24 thing I just wanted to add while we are on that particular
25 table.

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1 MR. RADONSKI: Could Steve's committee comment
2 on that?

3 CHAIRMAN HIXON: Sure. Absolutely

4 DR. MURRAY: First, Gil's suggestions are always
5 eloquent and well received. I think we are open to any
6 ideas that you all might provide with regard to how we
7 handle that last column. Dennis handed to me again some
8 additional language. Instead of no take, no extractive,
9 destructive, or disruptive activities. Dan, that is sort
10 of going where you were going.

11 The other place where this could get solved
12 is you notice we've been very parallel in calling the category
13 that is identified with multiple use we've called it an
14 area. In the category involved with no take we've called
15 it a reserve.

16 We might simply provide some definitions of
17 what an area is and what a reserve is in terms of this
18 categorization and that would get rid of that last column.

19 It would be under the definitions of what those titles
20 are. Any other comments, please make them and we'll capture
21 this and battle it out tomorrow morning.

22 CHAIRMAN HIXON: Just one note of clarification.
23 I notice that for one you call it a conservation area
24 and for the others you just call it an area.

25 DR. MURRAY: That's probably an oversight.

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1 Conservation probably should come out.

2 CHAIRMAN HIXON: Okay. Ellen is next, then Jim,
3 then Dan. Actually, so this isn't too broadly free-ranging
4 let's try to go from one topic to the next. Is there anything
5 -- are any of these questions specifically referring to
6 what Steve just said?

7 MR. BENTON: Would you allow the substitution
8 of the word "park" for area?

9 MS. GOETHEL: No.

10 MR. BENTON: Okay. Withdraw it.

11 CHAIRMAN HIXON: Okay. That's out. Ellen,
12 does yours have to do with this? Okay, please. You're
13 next.

14 MR. BECKER: I lost my train of thought completely.

15 I think that in looking at this I see this from the ground
16 up rather than from where we are sitting here. In order
17 for these to work you have to retain a little flexibility.

18 If we get very, very specific in the uses, there could
19 come a time when we would like to allow some type of activity
20 that we can't even think of right now but it would be so
21 restrictive by saying no human uses that it would hinder
22 the ability of that area to continue.

23 I'm not being really specific here but if I
24 think about this a little bit, I'm sure I could come up
25 with something that everyone would agree should be allowed

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1 but if you change the wording, the way we have it now it
2 says it's up to the governing body to be able to limit
3 depending on site management goals so they would be able
4 to say, "No, you can't take a boat through. You can't
5 extract. You can't use a jet sky." But in some places
6 traversing across or using something else would be
7 acceptable to everyone. Do you see what I'm saying?

8 CHAIRMAN HIXON: Sure.

9 MS. GOETHEL: Good.

10 CHAIRMAN HIXON: So I have Jim and then Tony.
11 Anyone else? Jim.

12 DR. RAY: Building in part on what Ellen said,
13 I think multiple use is a good term because it's a term
14 that people that are involved with it and concerned about
15 protected areas already know, multiple use. On the no
16 take something that is a little bit broader but the very
17 same meaning would need to be restrictive use or limited
18 use and then with the qualifiers underneath it.

19 Then you can define what that means by restricted
20 use or limited use to cover the various extract, etc.,
21 etc., etc., that we've been talking about. That might
22 be a more powerful way to do that. multiple use is something
23 people already know. For people that are the skeptics,
24 it's nice to know that you are talking about multiple use
25 areas. Those are my two cents worth.

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1 CHAIRMAN HIXON: Nice explicit comment. Thank
2 you.

3 Do you want to answer that, Steve?

4 DR. MURRAY: I just would ask for each of you
5 if you were to eliminate the bold words "multiple use"
6 and "no take" how much problem do we have?

7 CHAIRMAN HIXON: Tony.

8 DR. CHATWIN: I would just caution about adding
9 language that implies having to know some sort of very
10 detailed threshold. Discernible human impact, that is
11 something to me opens a whole cadre of problems and it
12 brings into play the idea of burden of proof that has to
13 be met before a certain use gets restricted. I like the
14 idea of the simple -- the way that Gil suggested.

15 CHAIRMAN HIXON: Thank you, Tony.

16 Max.

17 MR. PETERSON: I was playing with such wording.
18 Instead of no take put something like, "limited use such
19 as" and list some examples because I think Ellen was right,
20 there may be examples that would be permitted so if we
21 talk about "limited use such as" we could list research,
22 education.

23 We could list traversing the area. That could
24 be a limited use. My thought would be to change that.
25 I would still leave the titles and I would leave the second

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1 one. It would be "limited use" instead of "no take."

2 CHAIRMAN HIXON: Okay. Thank you, Max. All
3 good points.

4 Dennis Heinemann.

5 DR. HEINEMANN: That was quick. These really
6 could be combined. They both say, "Uses may be restricted
7 or zoned and access limited as necessary to meet site
8 management goals." The one difference between the two
9 is that the no take actually prohibits, not just limits
10 one type of activity. That is the fundamental difference
11 here.

12 All of these activities in terms of their impacts
13 exist on a continuum and at one end of the continuum is
14 zero where you completely prohibit it. I think in a sense
15 all areas are multiple use. What distinguishes the no
16 take is that some activity there is actually not just
17 regulated or restricted but prohibited. The no take
18 category could be one type of MPA in which some activities
19 are prohibited, not just limited.

20 CHAIRMAN HIXON: Thank you.

21 Bob Zales.

22 VICE CHAIR ZALES: I kind of like Steve's idea.
23 You take off the multiple use and no take. On the no
24 take one after uses where it says, "No extractive uses"
25 put "No extractive uses or dumping allowed."

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1 I think that takes care of Dan's point. Still
2 you have -- I mean, that would still in my mind allow
3 restrictive uses such as if you've got an area so big that
4 you got to allow some kind of transverse by vessel or whatever
5 to keep it from going way out. You've got a safety issue
6 there in some cases so you could still allow that but as
7 they're going through they can't take anything out and
8 can't put anything in. Maybe you want to consider that.

9 CHAIRMAN HIXON: As long as dumping includes
10 huge anchors being dragged along the bottom.

11 Jim.

12 DR. RAY: Just a comment. In multiple use areas
13 right now you have prohibitions. There's things you can
14 do and things you can't do. You have prohibitions in
15 multiple use areas.

16 CHAIRMAN HIXON: I think what's on the table
17 here is the idea there is a full range of restrictions
18 from basically very few to a huge number and uses, uses
19 and restrictions. Then at one end of the spectrum is total
20 restriction and virtually no uses or very few uses. That's
21 the dichotomy I'm hearing from everybody.

22 DR. MURRAY: I just want to say, as Dennis pointed
23 out, there really is a continuum of impacts that would
24 be allowed to progress in any of these MPA areas but it
25 does, I believe, do us well to identify these very strongly

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1 protected areas for Marine Natural Heritage, for Marine
2 Sustainable Production, and for Marine Cultural Heritage.

3 Hence, coming up with a category that designates that
4 I think is a good move.

5 For example, it's going to be very difficult,
6 and if the MPA Center would like to tackle this it would
7 be interesting and challenging, I think, to take all of
8 the areas out there and develop some categorization scheme
9 that is, in fact, based on the degree of protection provided
10 at each site.

11 You would have one difficult time doing that
12 because you are going to have to make that judgment based
13 upon for any location the protective goals for that site.

14 There is this one category that is worth, I think, designated.
15 Any analysis would also identify this type of strongly
16 protected area. You see that in all kinds of reports.

17 There are so many square nautical miles of Marine
18 Protected Areas and there are so many square nautical miles
19 of highly protected no take areas because it does give
20 an indication of the amount of ocean that is spatially
21 protected at the highest level that we have. That highest
22 level would also be represented in this management system.

23 My own thought on this is if you get rid of the bold words
24 they are not needed. You simply have some way to describe
25 the use. That column could be titled simply "use."

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1 CHAIRMAN HIXON: Okay. I have Dan Bromley,
2 Charlie Wahle and Dave Benton.

3 MR. BENTON: I wonder to what extent we are
4 imprisoned by the square boxes and would it be possible,
5 Steve, and colleagues if over on the far left we had Marine
6 Natural Heritage Area and then instead of boxes we had
7 a continuum in which there -- I mean, look, they both have
8 the primary conservation focus being natural heritage so,
9 in one sense, that column is redundant.

10 Why do we need that column? We have on the left
11 Marine Natural Heritage Area and then we have a continuum.

12 Jim and others are right. I mean, you go along this
13 continuum and there is a whole set of descriptions at the
14 far end of this continuum is the most extreme level of
15 control and prohibition. Those things out at that far
16 end get called a resource reserve and everything else back
17 along the continuum is called a resource conservation area.

18 Do we help ourselves by getting rid of the boxes?

19 CHAIRMAN HIXON: Charlie Wahle. You have to
20 use a mic, Charlie.

21 DR. WAHLE: I just wanted to add a couple of
22 things for perspective on this. This is a very interesting
23 discussion and one that pieces of we've had for a long
24 time. The challenge, you know, is making sense out of
25 what is really a pretty complicated picture.

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1 The way we went about it with that classification
2 system, as you all have seen, is break it down into all
3 these different bits and use those bits to do analyses
4 like what's in those posters there which have, for example,
5 six levels of protection ranging from you can do pretty
6 much anything to you can't take things to you can't take
7 or impact and you can't go there.

8 We've done all that and what we are now trying
9 to do is roll that back up into useful categories. The
10 tension we've experienced, and sounds like you all are,
11 too, is slipping back down and splitting it up again or
12 rolling it so high up into concepts that don't really tell
13 you very much.

14 I think what your committee came up with here
15 is in our experience it's just about the right level between
16 big bins and a whole bunch of little tiny ones. A lot
17 of what you all are talking about and calling for we have
18 literally right up there. It's just a matter of turning
19 it into something that makes sense to us and to the average
20 person.

21 CHAIRMAN HIXON: So for clarity, Charlie, can
22 you give us a rundown of how these particular categories
23 would be used by the MPA Center. Is it just for public
24 education? Is it for --

25 DR. WAHLE: I don't know. This is --

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1 CHAIRMAN HIXON: I mean, what are you going to
2 use these things for?

3 DR. WAHLE: We have used them, essentially these
4 three outer bins. Natural Heritage, Sustainable
5 Production, Cultural Heritage are the fundamental
6 organizing principles for all of our work. Those are the
7 goals of the framework, etc., etc.

8 Those and the levels of protection and a bunch
9 of other variables that we haven't really dealt with here
10 are the way in which we analyze the 1,600 or so MMAs that
11 exist to come up with exactly that type that Steve was
12 talking about, what's really out there and what do they
13 claim they're doing.

14 Now what we're trying to do with this exercise
15 simplify that a bit and turn it into something that is
16 more akin to, "Well, it's a national park and I know what
17 that means." Instead of, "I have six variables with seven
18 layers within each one and I don't know what that means.

19 CHAIRMAN HIXON: This is more for public
20 outreach.

21 DR. WAHLE: Yeah. It's an organizing piece.

22 CHAIRMAN HIXON: Education at all levels.

23 DR. WAHLE: Right. And a way to divide up the
24 ultimate national system so that people can understand
25 what it's about. The challenge is you go down that road

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1 of, "Can I dump or can I pee off the side of the boat or
2 can I do this and that?" Or do you roll it up into, "I
3 just shouldn't go there and do anything bad."

4 CHAIRMAN HIXON: Peeing off the side of the boat
5 is usually considered -- I won't get into that. Thanks,
6 Charlie.

7 Ellen. No, Dave Benton is next.

8 MR. BENTON: Thanks, Mark. I think Charlie
9 partially answered what I was going to ask and that is
10 is this the kind of thing that the center wants or is this
11 too much detail or not enough detail because it was something
12 that we were struggling with in our discussions. You could
13 hear it around this table. You can either get
14 very detailed and list out all kinds of things or you can
15 be very generalistic. I was sort of curious about that
16 and I wanted to see what Joe's reaction is. Maybe Charlie
17 answered that question. I'm not sure but maybe Joe has
18 something to add.

19 MR. URAVITCH: Yeah, I concur with Charlie.
20 I mean, what we've discovered in working with the more
21 detailed classification system that Charlie primarily,
22 but others as well, have been developing over the years
23 is an analytical tool to really understand what's going
24 on out there. It gets so complicated that you can't really
25 talk to your mother and say, "This is what we got."

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1 This is really the effort to deal, I think,
2 more with the general public and decision makers and to
3 communicate a fairly clear simple message without getting
4 to the level of details except for those people who really
5 want to do that.

6 MR. BENTON: Just a quick follow-up, Mr. -- Mark.

7 CHAIRMAN HIXON: Sure.

8 MR. BENTON: I almost said Mr. Chairman. I was
9 going to fall into that trap.

10 Joe, if that's the case is this -- I mean, I
11 was somewhat looking at this also as a way that an entity
12 might use to nominate a site to the system. It falls within
13 this category in this way and here are other management
14 goals or whatever sort of fit within that. Is that how
15 you guys are seeing this? Are you seeing it that way,
16 too, that this was how a nomination would occur?

17 MR. URAVITCH: Yes.

18 CHAIRMAN HIXON: Okay. I've got Ellen, Charlie,
19 Gil, and Steve.

20 MS. GOETHEL: Okay. I just have three points.

21 I think we need to keep in mind that we need to sell this
22 to the public. If it becomes too restrictive or if we
23 use catch words that have a negative connotation, it's
24 going to blow up in our faces and they won't accept it.
25 You need it to be simple, easy to understand.

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1 I was going to say it needs to be able to be
2 used by the governing body for nomination purposes so that
3 they can see where they fit into the national system if
4 they feel they really do. They need something very easy
5 and specific enough so they have good guidelines.

6 The last point I had was if we become too detailed
7 or too general we will open ourselves up to lawsuits on
8 either end so you have to be very careful about the wording
9 so you don't go off in either direction. It has to be
10 fairly exact but leave enough flexibility so that the
11 governing bodies and the Marine Protected, anyone working
12 on it has some ability to change.

13 CHAIRMAN HIXON: That's definitely the
14 tradeoff.

15 Charlie Beeker.

16 MR. BECKER: I want to go back just for a second
17 where Dan came from in the confusion factor. I think maybe
18 you had a good point about working outside the box. I've
19 worked in Florida and made underwater preserves on shipwreck
20 sites and then I go to California and make underwater parks
21 on shipwreck sites.

22 I go to the Dominican Republic and they don't
23 want to use parks because they are national parks or preserves
24 so we are making underwater museums in that country but
25 they are all the same function. I kind of like the idea

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1 that if you have a Marine Protected Area and some of them
2 have reserve status, that makes sense to me.

3 When you put out the word "park" there is a
4 problem but I understand preserve but I'm not sure I
5 understand area, if it's an area. Unless we have a Marine
6 Protected Area with reserve status, then I can understand
7 that which is what, Ellen, you're also saying. We may
8 need to just think about that a little bit because I know
9 park and preserve is a big problem for us because what's
10 area then.

11 CHAIRMAN HIXON: I think Steve indicated that
12 the word conservation got left out inadvertently. Is that
13 correct, Steve?

14 DR. MURRAY: Actually, you know, we were trying
15 to make this a little shorter. Marine Natural Resource
16 Area, not Marine Natural Resource Conservation Area because
17 you get four modifiers on this poor area.

18 CHAIRMAN HIXON: Okay. I just wanted clarity
19 on that. Okay. Thanks, Charlie.

20 Gil.

21 MR. RADONSKI: I would just like to second what
22 Joe Uravitch said. When I made a comment on this paper
23 I think it succinctly grabs what we've been trying to do
24 and it's an excellent way of conveying to the public where
25 we are going with this.

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1 A week ago I was on a talk radio show in Eastern
2 North Carolina and the subject was MPAs. The level of
3 perception by the public is horrible. What I found out
4 there is it's out of line but if we ever needed outreach
5 we need it badly because the public has no idea what the
6 hell we're talking about.

7 CHAIRMAN HIXON: I was on a similar program last
8 Sunday in Oregon and I couldn't agree more. There's the
9 full breadth of the country.

10 Steve Murray.

11 DR. MURRAY: The comment was made about how many
12 categories should we be striving for in order to communicate
13 something meaningful to the public and the user groups.

14 I think if you go back to our original report of May whenever
15 that we finalized up in Portland, Maine, we have three.
16 Now this particular effort gives us six. All right.

17 How many more could you have? You could have
18 a whole lot more. I would suggest that for an individual
19 site there may well be a matrix of different kinds of uses
20 that would evolve and be allowed or permitted or used as
21 part of the overall management plan for that site. If
22 you are going to try to convey something to the public,
23 it needs to be simple. It seems to me that it's three
24 or six. It's three or something similar to what we have
25 come up with here.

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1 I think, and I'll say it again, that having
2 this reserve type of highly protected strongly protected
3 area is worth communicating. I think we are not
4 communicating anything by title in terms of how much
5 protection is offered by the multiple use areas. You have
6 to know more in order to know what type of protection really
7 occurs there.

8 In California the thought was that, yeah, you
9 would be able to put a label on each area and that would
10 really mean something to any user. Okay. So if you have
11 an area that's called a marine park in California's
12 terminology, that does mean something. It means there's
13 only recreational activity here. But if you are a
14 recreational user, you are going to have to look up and
15 see what kind of recreational activity is really allowed.

16
17 You put the level, Marine Conservation Area,
18 on an MPA and you're not conveying much of anything other
19 than there's some kind of commercial activity. But in
20 terms of any other public user, the user has no idea what
21 that area means so this is a case where that label is virtually
22 meaningless to anybody in the public. A commercial person
23 is already regulated. They've got some way to figure out
24 what they're doing or not doing.

25 Now, State Marine Reserve is a very clear label

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1 for everybody out there. It very clearly tells everybody
2 this is an area within which there is no commercial
3 recreational extraction that's in the California system.

4 That label does a very good job of conveying what goes
5 on inside that area.

6 I don't think you can come up with a simple
7 scheme that is going to allow you to differentiate among
8 all these other multiple uses and what they may or may
9 not need. I think that a six-level scheme is a good one
10 for communication. The words may need to be different
11 but I think the six works.

12 CHAIRMAN HIXON: I think Subcommittee A has
13 gotten plenty of feedback now and people are starting to
14 repeat themselves so you guys have plenty to work with.

15 I would like to spend the last 15 minutes going onto some
16 of the other subcommittees so if people have issues with
17 any of these other patterns, let's go. Tony is ready and
18 then Bob. Mic, please.

19 DR. CHATWIN: Thank you. I would like to --

20 CHAIRMAN HIXON: What subcommittee?

21 DR. CHATWIN: I would like to make a comment
22 on Subcommittee B again.

23 CHAIRMAN HIXON: Okay.

24 DR. CHATWIN: I have made comments before and
25 I know they were heard but I would encourage the proponents

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1 of a three-tier system to bring some examples of systems
2 that are tiered elsewhere in the country or in the world
3 that could help us understand what the benefits are of
4 these multiple tiers. I am sitting here and I am really
5 trying to think why should we have three tiers, especially
6 with comments that I heard that some sites may never get
7 to tier 1.

I'm thinking of -- my bias here are
8 the incentive work we are going to develop and if we are
9 creating a hierarchy where progression is not going to
10 be possible for some of the sites, we are undermining
11 potential incentives for participation. I also think --
12 well, I think it would be very helpful if some examples
13 could be brought to light by that subcommittee.

14 MR. BENDICK: To that point, there was a
15 discussion in doing this how many sites would qualify.

16 They figure around 200 or 300 or whatever. We asked Joe
17 and I guess Joe was going to create some work for Charlie
18 or somebody if they could come up with some kind of ballpark
19 figure tomorrow in this kind of situation about how many,
20 5,000, 1,500.

21 PARTICIPANT: We're doing it right now.

22 MR. BENDICK: So they are obviously working on
23 it. Hopefully we'll have an answer. Clearly this could
24 be too restrictive and the issue about possibly not being
25 able to get to some point because of the way it's designed

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1 and the purpose. I don't know that any of those exist.

2 They may or they may not. I don't know because everybody
3 with MPAs is different.

4 You've got regional fishing restrictions.
5 You've got a variety of things here. In some of those
6 cases to provide a function that may be considered the
7 ultimate goal of an MPA, that is how some of that might
8 happen. Hopefully we'll have this information tomorrow
9 to discuss further.

10 DR. CHATWIN: I'm interested in separating an
11 initial -- the issue about starting small and growing from
12 the issue of incentives. I think they may be mixed up.

13 The idea of creating this tier will create incentives
14 to progress up the tier ladder which I would like to know
15 -- it's an assumption that I would like to know if it has
16 been tested.

17 CHAIRMAN HIXON: That assumption was definitely
18 discussed.

19 Rikki, did you want to insert your findings
20 here? In other words, of the 1,600 MMAs how many would
21 meet those four? Is that what you can give us right now
22 or not?

23 MS. GROBBER-DUNSMORE: No.

24 CHAIRMAN HIXON: We'll do that later. Okay.

25 Bob Bendick.

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1 MR. BENDICK: Two things. I don't know whether
2 it's on target but there is a program called a conservation
3 services program of the Farm Bill that ranks the performance
4 of farms. It's a fairly small program compared to the
5 others but it ranks the performance of farms environmentally
6 and the farmers who are doing better, it has three tiers,
7 get more money. You might take a quick look at that.

8 Secondly, on the issue of regions, you know,
9 this is an area that the Nature Conservancy has a lot of
10 concern about because our focus is not just on hot spots
11 of biodiversity but representation of all the kinds of
12 habitats. At a time when NOAA and others are spending
13 a lot of time on ecosystem management, for example, in
14 the southeast U.S. Atlantic Coast there's a big academic
15 and NOAA program on ecosystem management of that region.

16
17 I think it probably deserves a little more
18 attention. It may end up that the fishery management zones
19 are the things that make sense but it may not. I think
20 if we are creating a representative system a number of
21 Marine Protected Areas that represent the diversity of
22 kinds of habitats across the country really need some
23 attention in thinking about entry into this system and
24 incentives, stuff like that. I'm not sure we've done that
25 yet.

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1 CHAIRMAN HIXON: Thanks, Bob.

2 You want to insert something, Joe?

3 MR. URAVITCH: I just want to say I think there
4 is some misunderstanding in terms of the regions thing.
5 That is just how we're working in terms of political regions.
6 That doesn't mean that we're not going to use things like
7 large marine ecosystems and various habitat classifications,
8 etc., when we look at representativeness but we have to
9 structure ourselves in some logical way to work with
10 governmental institutions.

11 Regions mean a couple different things. It's
12 not a defined term here. There is sort of the administrative
13 regions which are working but then you are looking for
14 scientifically based regions as well in terms of the
15 resources.

16 MR. BENDICK: Ellen just reminded me that a number
17 of the councils are working on various habitat mapping
18 approaches so maybe there's more material there to help
19 us out.

20 CHAIRMAN HIXON: Thank you.

21 I have Lauren, then Max Peterson, then John
22 Halsey.

23 MS. WENZEL: I just wanted to share that we had
24 someone from the Corals Program, Dana Wusinich-Mendez,
25 sitting with us. They have done some more detailed analysis

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1 based on the MMA inventory for the seven states and
2 territories with Corals. They found that on the order
3 of about 10 percent of the 220 sites that they surveyed
4 would meet these four checkmarks. That will give you some
5 idea how restrictive, at least for Corals, they found that
6 these would be. It bears up your point.

7 CHAIRMAN HIXON: That wasn't an actual analysis.
8 That was her guesstimate at the time.

9 MS. WENZEL: But what is not an estimate is that
10 only 20 percent had management plans so she was going from
11 the number that would meet all four.

12 CHAIRMAN HIXON: Thanks.

13 Max.

14 MR. PETERSON: A few years ago Harvard University
15 had their people looking at admissions and they got all
16 through and said, "Are you happy with your admissions?"
17 They said, "Yeah, we are very happy." The dean said,
18 "I would just like for you to know that you unanimously
19 rejected Winston Churchill," because he didn't meet one
20 of their in/out factors.

21 In/out factors are tricky in that you may not
22 get geographical distribution. You may not get a good
23 mix of natural and heritage areas and so on. If you had
24 scientists look at it, they would say, "If we were selecting
25 sites, you've got a whole bunch of dogs and there's a whole

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1 bunch of them better than that. They just happened to
2 meet this criteria so they're in."

3 I would encourage you to use these semis, maybe
4 some weighting things or something but don't use strictly
5 in and out factors and put some things like as Tony mentioned
6 geographic representation of habitats and ecosystems,
7 geographic in terms of regions of the country because you've
8 got to have public support for this when you all get through
9 it. You don't want to end up with one system that's all
10 on the Gulf of Mexico. Okay.

11 CHAIRMAN HIXON: Thank you, Max.

12 John Halsey.

13 DR. HALSEY: Yes. I would like to emphasize
14 what Terry said about the probable inability for most states
15 to participate in this given that in many cases I'm not
16 sure what the definition of appropriate staff support would
17 be but I think it's got to be at least one person full
18 time devoted to this. I know in Michigan there is no such
19 critter. Site specific management plans may also be
20 problematic. I think you can write off virtually all of
21 the Great Lake states as ever being able to enter the system.

22 CHAIRMAN HIXON: Thank you.

23 Ellen.

24 MS. GOETHEL: I just was thinking about that,
25 what John just said. As an alternative if there is an

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1 area, a state area that doesn't have a board or full-time
2 support, I would think they could put together a voluntary
3 board to govern it which would not be -- I know lots of
4 different areas that I work in use voluntary boards as
5 their governing body.

6 I think that maybe we need to -- if we think
7 there are areas that will not meet the main criteria, give
8 them suggestions or have someone helping them to meet those,
9 or at least be moving in the direction of meeting those
10 criteria. I think we can include some of the state and
11 even the tribal areas if we did that.

12 CHAIRMAN HIXON: This sounds like combining your
13 comments, John's comments, and Max's comments. It might
14 be something like on a case-by-case basis having a body
15 that reads the case and comes to a decision as a possibility.

16 Bob.

17 VICE CHAIR ZALES: That may be. In looking at
18 this because my concern is, too, that these things can
19 be too restrictive. As I stated before, I suspect, and
20 I don't have any way of knowing, but I suspect a good many
21 of those 1,500 entities of MPAs of various types are not
22 even going to want to be considered.

23 They are not going to opt out of this thing.
24 That in itself, and I don't know that we have any way
25 of determining that number, but that in itself in my mind

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1 is going to dramatically reduce the 1,500 and some lower
2 number. Some kind of review board or something that you
3 just suggested may be an option. I think we definitely
4 need to go back and play with this some and see.

5 CHAIRMAN HIXON: Thank, Bob.

6 Rikki. You have to use the mic. Sorry.

7 MS.GROBBER-DUNSMORE: Twenty-fourpercent have
8 a management plan with the data that we have available.

9 CHAIRMAN HIXON: Okay. So 24 percent have a
10 management plan.

11 Okay. Tony.

12 DR. CHATWIN: If I may, just for clarification,
13 that doesn't necessarily mean they have appropriate staff
14 support.

15 CHAIRMAN HIXON: Just that one criterion?

16 DR. CHATWIN: One criterion. That was just
17 clarification.

18 CHAIRMAN HIXON: Okay. It's nearly 5:00. Does
19 anyone else have something they want to say?

20 Charlie Wahle.

21 DR. WAHLE: Was there any consideration of using
22 the level of protection as a criteria because that is
23 something that we quantified. It's getting a little closer
24 to the cause and effect issue. That's what we're seeking.
25 All these other things are kind of precursors to that.

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1 CHAIRMAN HIXON: I don't believe we did. There
2 was no discussion of that.

3 DR. WAHLE: We could give you a number at some
4 point about what that would look like.

5 CHAIRMAN HIXON: Okay. Sounds good. Others?
6 Tony.

7 DR. CHATWIN: Mr. Chairman, Mark, Mr. Mark.

8 CHAIRMAN HIXON: That's a little better.

9 DR. CHATWIN: Sorry. I just want to put this
10 out there. I am obviously concerned with the discussions
11 that are going on in Subcommittee B in part because those
12 are discussions that we've been having for a good year
13 in the Standing Subcommittee on Incentives and
14 Implementation. What we have here is not new. We have
15 had that discussion.

16 We did not come to consensus on this particular
17 proposal within that subcommittee and it now has resurfaced,
18 which is fine. I think it merits a lot more debate than
19 just in one subcommittee. I am getting concerned that
20 first we are discussing this in the absence of a discussion
21 about incentives because they are clearly tied together.

22

23 The Farm Bill example I don't know it but it
24 is clearly -- we are discussing here what do we define
25 as a farm or equivalent and then tiering those farms from

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1 the get-go without having incentives. The Farm Bill is
2 different. You have farms and the farms, depending on
3 how they fit in the tiers, will get a reward.

4 So the concern I have is that we are going to
5 try to rush this one through and send our comments then
6 to NOAA and Interior without having that discussion about
7 incentives. I would like to propose that depending on
8 how this discussion goes I might be making a motion not
9 to send it.

10 CHAIRMAN HIXON: Your point is well taken. One
11 possibility would be a very clear caveat that due to the
12 time constraints there are important issues that could
13 not be incorporated. Somehow implementing
14 management/selection criteria without incentives would
15 be folly. That's another possibility as opposed to just
16 dumping the whole thing. The constraint we have is that
17 by the end of this meeting we either have some input on
18 the final framework or we don't have input on the final
19 framework. It's really that constraint that we are facing.

20 Dan.

21 DR. BROMLEY: If I may, if we are going to have
22 a discussion about incentives, then I would ask that we
23 have a discussion about incentives in the broadest sense
24 and not just in terms of is there going to be more money
25 because part of the rationale, part of the idea behind

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1 this was creating the tiers in itself creates a set of
2 incentives on MPAs to try to bootstrap themselves up into
3 a higher category. I'm happy to have a discussion about
4 incentives as long as we understand that the term incentives
5 means more than just new federal money.

6 CHAIRMAN HIXON: Okay.

7 DR. CHATWIN: The Incentives and Implementation
8 Subcommittee has been discussing all sorts of incentives
9 and I don't think we can have a discussion about appropriate
10 incentives. I fail to see with this structure how this
11 in itself is an incentive. I think that is an assumption
12 and that's why I asked for some examples of how that would
13 work. I think that a tier and progressing up the tier
14 implies that there is a reward for doing so. What I've
15 heard is that some sites might not be able to even progress.
16 All they can aspire to is being a tier 3.

17 CHAIRMAN HIXON: Okay. The issues are on the
18 table. It's actually after 5:00 but I want to finish up
19 people who want to talk.

20 Bob, you're next.

21 VICE CHAIR ZALES: I agree with you Tony. From
22 the very get-go with this whole committee the whole concept
23 of a national system the question has been what do you
24 get. Nobody has been able to answer that yet. It's still
25 in my mind where we're headed with that. If we're going

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1 to discuss it, then fine. I don't know how you
2 can talk about joining something just because you want
3 to be a member of some elite club that you don't know what
4 you're going to get for being a member. Okay, I'm a member
5 of a club and that's it. Until that is pretty well sorted
6 out, I think we are putting the cart before the horse.
7 I don't know how you can continue that way.

8 CHAIRMAN HIXON: One of the constraints is, as
9 you say, Tony, we do have a subcommittee, a standing
10 subcommittee, working on incentives so we didn't want to
11 just completely ignore that. We sort of said, "Okay, well,
12 there's this other piece that the MPA Center needs and
13 we'll have to get the Incentive Committee's report out
14 in October. Unfortunately not right now."

15 Rikki, did you have more information for us
16 or something?

17 MS. GROBBER-DUNSMORE: I do.

18 CHAIRMAN HIXON: Yes.

19 MS. GROBBER-DUNSMORE: This is just to give you
20 an idea of this is the number of MMAs by use and we have
21 82 percent of the sites are uniform multiple use, 6.3 percent
22 of the sites are zoned multiple use, 1.7 percent of the
23 sites are zoned no take, 4 percent are no take, 2 percent
24 are no access, and less than 2 percent are no impact.
25 Those numbers for uniform multiple use they get larger

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1 for the multiple use if you do it by area. The numbers
2 I just gave you are for numbers of individual MMAs.

3 DR. BROMLEY: Did you give us two percentages
4 for no take, Rikki? Could you give them to us again?
5 You had 1.6 and then you had 4 percent, I think.

6 MS. GROBBER-DUNSMORE: We have zone no take which
7 is 1.7 percent and then no take was 4 percent.

8 DR. BROMLEY: Ah, zoned versus not zoned.

9 MS. GROBBER-DUNSMORE: Correct.

10 DR. BROMLEY: Thank you.

11 CHAIRMAN HIXON: What areas?

12 MS. GROBBER-DUNSMORE: Zoned multiple use is
13 6.3 percent of the sites.

14 CHAIRMAN HIXON: Rikki, would you mind tomorrow
15 morning having all that stuff up here on the chart?

16 MS. GROBBER-DUNSMORE: Sure. I can have it by
17 number and by area. Like you say, if you look at over
18 there on the national, that gives you the area 99.98 percent
19 of the area in MMAs is multiple use.

20 CHAIRMAN HIXON: Okay. A summary table would
21 be great tomorrow. Thanks so much for doing that.

22 Okay. I'm going to let Wally speak and then
23 I'm going to wrap this up for the day.

24 Wally.

25 MR. PEREYA: Tony was asking for an example.

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1 At the time the Magnuson Act was passed in 1976 in the
2 North Pacific 98 percent of the ground fish resources were
3 caught and processed by foreign entities. Shortly after
4 the Magnuson Act was passed one of the first amendments
5 to it established a three-tiered allocation system where
6 the highest priority went to U.S. caught, U.S. processed
7 fish.

8 The lowest priority went to foreign processed.

9 The intermediate was U.S. caught foreign processed.
10 Within a period of about, I would say, 10 or 12 years the
11 entire ground fish resource went from essentially foreign
12 caught, foreign processed to the highest priority which
13 was U.S. caught, U.S. processed. That was strictly based
14 upon a tired allocation as an example.

15 CHAIRMAN HIXON: That's great. Thanks, Wally.

16 Okay. A couple things. First, I am very
17 grateful for how everyone dove in and stayed focused today.

18 These are not easy tasks you have been assigned. Instead
19 of balking everyone just said, "Okay, let's get done what
20 we can." Thank so much for that. I'll give Lauren a chance
21 for any other announcements.

22 The second thing is there's an effort not just
23 by us but by other groups to enhance funding for the MPA
24 Center. This is not something obviously the MPA Center
25 can be involved with legally but I have scheduled a break

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1 for tomorrow at 2:00 to give members the opportunity to
2 do what they can while they are here in Washington to make
3 a difference. That is simply an opportunity that I lay
4 out.

5 Relevant to that the Marine Conservation Biology
6 Institute has sent a letter to Congress appropriations.

7 I have not been involved in this. This is something that
8 I just found in a pile today that was handed to me. A
9 copy of that letter is out on the table. I encourage you
10 all to look at it mostly because the last page has a list
11 of key members of the house who would be important to contact
12 so I encourage everyone to take a copy of that document
13 and think about what they can do tomorrow.

14 Do you have any other announcements, Lauren?

15 MS. WENZEL: No.

16 CHAIRMAN HIXON: Okay. Dinner is at -- I'll
17 give you a second, Terry. Dinner is at 6:30, is it? 6:15
18 at Rock Bottom Brewery which is located where exactly?

19 MS. WENZEL: Ballston Mall.

20 CHAIRMAN HIXON: The Ballston Mall which is
21 across the street from this building on the first floor.

22 Terry.

23 MR. O'HALLORAN: For those of us that are going
24 to the Hill tomorrow, of which I am one, I've got some
25 appointments there, what line do I take on the Metro?

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1 Could I get some direction where?

2 PARTICIPANT: The orange line.

3 MR. O'HALLORAN: Just get on the orange line?

4 PARTICIPANT: Get on the orange line

5 towards --

6 PARTICIPANT: We can pull some directions.

7 MR. O'HALLORAN: Just tell me when to get off
8 and where to meet.

9 PARTICIPANT: We'll get that ready for tomorrow.

10 CHAIRMAN HIXON: Before we adjourn tomorrow at
11 2:00.

12 PARTICIPANT: You get off at Richmond.

13 CHAIRMAN HIXON: Yeah. It's not like H1. Any
14 other questions before we adjourn for the day? All right.

15 Come back here tomorrow. 8:00. Thank you everyone.

16 (Whereupon, at 5:07 p.m. the meeting was
17 adjourned.)

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